

# The Gazette of India



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**NOTICE**

The undermentioned Gazettes of India Extraordinary were published upto the 24th May 1958:—

Issue No.	No. and date	Issued by	Subject
86	S.O. 869, dated the 17th May, 1958.	Ministry of Steel, Mines and Fuel.	Fixation of the prices of coal/coke overloaded at any weigh-bridge.
	S.O. 870, dated the 17th May, 1958.	Ditto.	Fixation of the prices of coal/coke to be sold by colliery owners.
87	S.O. 933, dated the 22nd May, 1958.	Ministry of Commerce and Industry.	Special export licences for the export of tea shall be valid upto the 30th June, 1958.
88	S.O. 934, dated the 23rd May, 1958.	Ministry of Labour and Employment.	Extension of the period of operation of the Award of the All India Industrial Tribunal (Colliery Disputes), Calcutta.
89	S.O. 935, dated the 16th May, 1958.	Election Commission, India.	First Appeal No. 5 of 1958.
90	S.O. 936, dated the 23rd May, 1958.	Ditto.	Notice of Retirement by a contesting candidate for election to the House of the People from Gurgaon constituency.
	S.O. 937, dated the 24th May, 1958.	Central Board of Revenue.	Amendments made in the notification No. 2/Cus. IV/56, dated the 11th February 1956.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

**PART II—Section 3—Sub-section (ii)**

**Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).**

**ELECTION COMMISSION, INDIA**

*New Delhi, the 16th May 1958*

**S.O. 940.**—It is hereby notified for general information that the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951

(XLIII of 1951) incurred by the person whose name and address are given below as notified under Notification No. UP-P/322/57(146), dated the 23rd September, 1957, has been removed by the Election Commission in exercise of the powers conferred on it by the said clause and section of the said Act:—

Shri Laxmi Narain, r/o village: Dattaves, h/o village Jaitai, P.O. Sadabad, District Mathura.

[No. UP-P/322/57(146-R)/6739.]

**S.O. 941.**—It is hereby notified for general information that the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, (XLIII of 1951) incurred by the person whose name and address are given below as notified under Notification No. BR-P/80/57(86), dated the 31st July, 1957, has been removed by the Election Commission in exercise of the powers conferred on it by the said clause and section of the said Act:—

Shri Radhemohan Prasad, Mohalla Maranpur, Nayatoli, Gaya.

[No. BR-P/80/57(86-R)/6745.]

*New Delhi, the 21st May 1958*

**S.O. 942.**—It is hereby notified for general information that the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, (XLIII of 1951), incurred by the person whose name and address are given below as notified under notification No. MR-P/401/57(178) Dated the 17th October, 1957, has been removed by the Election Commission in exercise of the powers conferred on it by the said clause and section of the said Act:—

Shri Thokchom Bira Singh, Kelsampat Keisam Leikai, P.O. Imphal, Manipur.

[No. MR-P/401/57(178-R)/6947.]

By Order,

A. S. NADKARNI, Under Secy.

## MINISTRY OF LAW

*New Delhi, the 23rd May 1958*

**S.O. 943.**—The following Order known as the Reciprocal Enforcement of Judgments (India) Order, 1958, issued by the Government of United Kingdom in the matter relating to reciprocity between India and the United Kingdom as regards the execution of decrees of civil courts is published for general information:—

“1958 No. 425

### JUDGMENTS

The Reciprocal Enforcement of Judgments (India) Order, 1958 Made.....  
..... 14th March, 1958

Coming into operation 1st April, 1958

At the Court at Buckingham Palace, the 14th day of March, 1958.

### PRESENT

The Queen's Most Excellent Majesty in Council Her Majesty, by virtue and in exercise of the powers conferred on Her by section one of the Foreign Judgments (Reciprocal Enforcement) Act, 1933 (a), and of all other powers Her enabling, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Reciprocal Enforcement of Judgments (India) Order, 1958, and shall come into operation on the first day of April, 1958.
2. The Reciprocal Enforcement of Judgments (India) Order, 1953 (b), is hereby revoked provided that it shall continue to have effect in relation to judgments given before the coming into operation of this Order.
3. Part I of the Act shall extend to the territories of India named in the Schedule hereto.

4. The following Courts of the said territories shall be deemed Superior Courts of the said territories for the purposes of Part I of the said Act, that is to say:—

- (a) The Supreme Court.
- (b) All High Courts and Judicial Commissioners' Courts.
- (c) All District Courts.
- (d) All other Courts whose civil jurisdiction is subject to no pecuniary limit provided that the Judgment sought to be registered under the said Act is sealed with a seal showing that the jurisdiction of the Courts is subject to no pecuniary limit.

W. G. AGNEW.

#### THE SCHEDULE

(1) The States of Andhra Pradesh (excepting the Scheduled Areas), Assam (except the Tribal Areas), Bihar, Bombay, Kerala, Madhya Pradesh, Madras, Mysore, Orissa, Punjab, Rajasthan, Uttar Pradesh and West Bengal.

(2) The Union Territories of Delhi, Himachal Pradesh, Tripura, Manipur and Andaman and Nicobar Islands.

#### *Explanatory Note*

(This Note is not part of the Order, but is intended to indicate its general purport)

This Order revokes and replaces with certain modifications the Reciprocal Enforcement of Judgments (India) Order, 1953. The modifications are for the purpose of adding the Supreme Court of India to the list of courts contained in the Order of 1953 and revising the list of territories in India to which the Foreign Judgments (Reciprocal Enforcement) Act, 1933, Part I, extends.

The revocation is not to affect judgments given before the commencement of this Order by Courts which were Superior Courts under the Order of 1953."

[No. F.28(1)/54-L.]

E. VENKATESWARAN, Under Secy.

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#### MINISTRY OF HOME AFFAIRS

*New Delhi, the 15th May 1958*

**S.O. 944.**—The following amendment to the Andaman and Nicobar Islands Police Regulations made partly by the Central Government and partly by the Inspector General of Police of the Andaman and Nicobar Islands in exercise of the powers respectively conferred on them by the Police Act, 1861 (V of 1861), is hereby notified for general information:—

For Appendix 6.1(1), the following shall be substituted, namely:

"The departmental punishments mentioned in the second column of the table below may be inflicted on police officers of the various ranks shown in the heading Nos. 3 to 5, by the police officers named below each heading, or by any police officer of higher rank—

TABLE

Sl. No.	Departmental punishment	Inspectors, Sub-Inspectors, Asstt. Sub-Inspectors of executive lines and Fire Brigade	Supervisor Maintenance, Radio Technicians and Radio Operators	Head Constables of executive branch and Fire Brigade	Lance Head Constables of executive and Fire Brigade	Constables of executive, lines Followers and Constable of Fire Brigade
1	2	3	4	5	6	7
1	Dismissal . . . .	Inspector General	Inspector General.	Supdt. of Police	Supdt. of police	Supdt. of Police.
2	Reduction . . . .	Supdt. of Police.	Supdt. of Police.	Do.	Do.	Do.
3	Stoppage of increment . . . .	Do.	Do.	Do.	Do.	Do.
4	Entry of censure or in the case of Head Constables, Lance Head Constables and Constables award of black mark.	Do.	Do.	Do.	Do.	Asstt. Supdt. of Police
5	Confinement to quarters not exceeding 15 days.	Do.	Do.	Do.	Do.	Superintendent of Police.
6	Do. 10 days .	Do.	Do.	Do.	Do.	Asstt. Supdt. of Police
7	Extra Guard, Fatigue or other duty.	Do.	Do.	Do.	Do.	Do.
8	Punishment drill not exceeding 15 days.	Do.	Do.	Do.	Do.	Supdt. of Police.
9	Punishment drill not exceeding 9 days.	Do.	Do.	Do.	Do.	Asstt. Supdt. of Police
10	Punishment drill not exceeding 6 days.	Do.	Do.	Do.	Do.	Inspectors.
11	Punishment drill not exceeding 3 days.	Do.	Do.	Do.	Do.	Sub-Inspectors.

Notes.—(1) A constable confined to quarters shall be confined in the lock-up attached to the police Quarter Guard. While so confined, he shall perform punishment drill or may be employed instead on fatigue duty. He shall not leave the lock-up during the period of confinement, except under escort of one lance Head Constable or two constables in uniforms and in accordance with the order, general or specific, of an officer of status not less than that of Lines Officer.

(2) Punishment drill shall consist of drill, with a rifle and full webbing equipment as for marching order, for not more than six or less than four hours in any one day, with an interval of at least 30 minutes, between each hour. Only such days shall be omitted towards the completion of an award of punishment drill on which such drill is actually carried out."

[No. 45/8/57-ANL.]

B. N. MAHESHWARI, Dy. Secy.

## MINISTRY OF FINANCE

(Department of Expenditure)

*New Delhi, the 22nd May 1958*

**S.O. 945.**—In exercise of the powers conferred by the proviso to article 309 and, in relation to persons serving in the Indian Audit and Accounts Department, also by clause (5) of article 148 of the Constitution, the President, after consultation with the Comptroller and Auditor General of India, as regards the persons referred to above hereby makes the following further amendments in the Civil Service Regulations, namely:—

In the said Regulations—

(1) for Article 455, the following article shall be substituted, namely:—

"455. An officer who has submitted under Article 442 a medical certificate of incapacity for further service shall, if he is on duty, be invalidated from service from the date of relief of his duties, which should be arranged without delay on receipt of the medical certificate, or, if he is granted leave under the Note below Article 827-A, on the expiry of such leave. If he is on leave at the time of submission of the medical certificate, he shall be invalidated from service on the expiry of that leave or extension of leave, if any, granted to him under the Note below Article 827-A."

(2) Articles 456 and 457 shall be omitted;

(3) Clauses (2) and (3) of the note below Article 827-A shall be omitted.

[No. F.7(78)-E.V./57.]

C. B. GULATI, Dy. Secy.

## (Department of Economic Affairs)

*New Delhi, the 22nd May 1958*

**S.O. 946.**—In exercise of the powers conferred by sub-section (1) of Section 38A of the Banking Companies Act, 1949 (10 of 1949), the Central Government hereby appoints Shri Kamal Kumar Ghosh, Deputy Court Liquidator, Calcutta High Court, to officiate as Court Liquidator attached to the said High Court from the forenoon of the 19th May, 1958 to the afternoon of the 21st June, 1958 *vice* Shri Monoj Kumar Ganguli granted leave.

[No. 2(7)-F.I/58.]

R. K. SESHADRI, Dy. Secy

## (Department of Economic Affairs)

New Delhi, the 23rd May 1958

S.O. 947.—Statement of the Affairs of the Reserve Bank of India, as on the 16th day of May, 1958.

## BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up . . . . .	5,00,00,000	Notes . . . . .	24,65,09,000
Reserve Fund . . . . .	80,00,00,000	Rupee Coin . . . . .	10,30,000
National Agricultural Credit (Long-term Operations) Fund . . . . .	20,00,00,000	Subsidiary Coin . . . . .	2,04,000
National Agricultural Credit (Stabilisation) Fund . . . . .	2,00,00,000	Bills Purchased and Discounted :—	
		(a) Internal . . . . .	..
Deposits :—		(b) External . . . . .	..
(a) Government . . . . .		(c) Government Treasury Bills . . . . .	3,63,51,000
(1) Central Government . . . . .	75,06,93,000	Balances held abroad* . . . . .	42,83,85,000
(2) Other Governments . . . . .	13,68,56,000	**Loans and Advances to Governments . . . . .	59,80,15,000
(b) Banks . . . . .	73,88,09,000	Other Loans and Advances† . . . . .	69,32,81,000
(c) Others . . . . .	113,18,92,000	Investments . . . . .	227,04,19,000
Bills Payable . . . . .	14,41,21,000	Other Assets . . . . .	13,67,36,000
Other Liabilities . . . . .	43,85,59,000		
TOTAL . . . . .	441,09,30,000	TOTAL . . . . .	441,09,30,000

\*Includes Cash &amp; Short Term Securities.

\*\* Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 26,31,50,000/- advanced to scheduled banks against usance bills under Section 17 (4) (c) of the Reserve Bank of India Act.

Dated the 21st day of May 1958.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 16th day of May 1958.

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department . . . . .	24,65,09,000		A. Gold Coin and Bullion :—		
Notes in circulation . . . . .	<u>1614,83,14,000</u>		(a) Held in India . . . . .	117,76,03,000	
Total Notes issued . . . . .		1639,48,23,000	(b) Held outside India . . . . .	..	
			Foreign Securities . . . . .	<u>209,67,56,000</u>	
			TOTAL OF A . . . . .		327,43,59,000
			B. Rupee Coin . . . . .		129,42,36,000
			Government of India Rupee Securities . . . . .		1182,62,28,000
			Internal Bills of Exchange and other commercial paper . . . . .		..
TOTAL—LIABILITIES . . . . .		1639,48,23,000	TOTAL—ASSETS . . . . .		1639,48,23,000

Dated the 21st day of May 1958.

K. G. AMBEGAOKAR, DY. GOVERNOR.

[No. F. 3 (2)-F.1/58.]

A. BAKSI, Jt. Secy

**(Department of Revenue)****CUSTOMS***New Delhi, the 19th May 1958*

**S.O. 948.**—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following amendment in the notification of the Government of India in the late Finance Department (Central Revenues) No. 33-Customs, dated the 22nd June, 1935, namely:—

Serial number 54 and the entries relating thereto in Schedule I to the said notification shall be omitted.

[No. 175.]

**(Department of Revenue)***New Delhi, the 19th May, 1958*

**S.O. 949.**—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby exempts motor cars, motor cycles, motor tricycles, motor trailers and caravans brought with motor vehicles imported into India or the said State by any person resident abroad and intending to make only a temporary stay in India, and wireless sets built into such motor vehicles, from the whole of the customs duty leviable thereon, provided—

- (i) that the importer is a member of an Automobile Club or Association belonging to the Federation Internationale De L' Automobile or to the Alliance Internationale de Tourisme.
- (ii) that he produces to the Customs Collector for the purpose of the same being duly signed and stamped by him the Pass-book or Carnet de Passages en Douanes issued by the Federation Internationale De L' Automobile or by the Alliance Internationale de Tourisme or the Pass-sheet (Triptyque) in the form approved and issued to him by a Club or Association guaranteed by the Western India Automobile Association and in respect of which all the rules and conditions relating to pass-books or pass-sheets have been complied with, and
- (iii) that he satisfies the aforesaid office that the motor vehicle of any of the descriptions mentioned above which he has imported, corresponds in all respects with that described in the pass-book or pass-sheet and for this purpose produces for examination and record of particulars by him the said motor vehicles.

[No. 176.]

M. A. RANGASWAMY, Dy. Secy.

**(Department of Revenue)****INCOME-TAX***New Delhi, the 23rd May 1958*

**S.O. 950.**—In exercise of the powers conferred by sub-section (2) of Section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Government is pleased to appoint Shri F. H. Vallibhey to be a Commissioner of Income-tax.

This notification shall be deemed to have taken effect from the 18th May 1958 (forenoon).

[No. 51(F.No. 55/23/58-IT).]

B. V. MUNDKUR, Under Secy.

**(Department of Revenue)****ORDERS****STAMPS***New Delhi, the 23rd May 1958*

**S.O. 951.**—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the lease deed dated the 28th February,



1958, executed by the High Commissioner for the United Kingdom in India in respect of No. 10, Kitchner Road, New Delhi, is chargeable under the said Act.

[No. 18.]

S.O. 952.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the lease deeds to be executed by the Embassy of the Czechoslovak Republic in India in respect of premises Nos. 65 and 57, Golf Links, New Delhi, and No. 22, Jor Bagh Nursery, New Delhi, are chargeable under the said Act.

[No. 19.]

B. B. GUJRAL, Under Secy.

### CENTRAL EXCISE COLLECTORATE, ALLAHABAD

#### PUBLIC STANDING ORDER

Allahabad, the 19th May 1958

S.O. 953.—The Hilly and Jungle Area Scheme operative under Allahabad Collectorate Memorandum No. 513Et/51/15363, dated the 30th August, 1952 and applicable to the following areas:—

1. Almora District: The whole District.
2. Nainital District: The whole District.
3. Garhwal District: The whole District.
4. Tehri Garhwal District: The whole District.
5. Dehradun District: The portion of Chakrata Tehsil of Dehradun Distt. bounded on the east and south by the Jamuna River.
6. Mirzapur District:—
  - (a) The whole of Dudhi Tehsil.
  - (b) The portion of Robertsganj Tehsil, which is bounded on the north by River Sone.
- (7) Rampur District:—
  - (a) Milak Tehsil.
  - (b) Shahbad Tehsil.

is hereby withdrawn with immediate effect. All tobacco produced in the said areas will henceforward be subject to full excise control including levy of duty, as in the rest of the Allahabad Collectorate according to instructions heretofore in force.

[No. 68.]

Allahabad, the 19th May 1958

S.O. 954.—In supersession of Central Excise, Allahabad Collectorate Notification No. 4/58, dated the 25th March, 1958 and in exercise of the powers conferred on me under proviso to Rules 15 and 16 of Central Excise Rules, 1944 as amended by Government of India, Ministry of Finance (Department of Revenue), Notification No. 3/58, dated the 11th January, 1958, I hereby notify in the enclosed schedule, the areas, in which growers and curers of tobacco will be exempt from declaration of their areas and yield respectively under the above rules as amended provided that the area cultivated by a grower does not exceed the limit specified in Col. 3 of the schedule and he does not cure quantity of tobacco exceeding 72 lbs. in the areas in the schedule. The above exemption under Rules 15 and 16 of Central Excise Rules, 1944 as amended will not apply to flue-cured Tobacco used in the manufacture of cigarettes and tobacco, other than flue-cured, used in the manufacture of Biries.

## SCHEDULE

*Showing Revenue Jurisdiction of Areas in Allahabad Collectorate  
Exempted under Rules 15 & 16 of C.E. Rules, 1944.*

Sl. No.	Name of Districts or Portions thereof.	Exempted areas in Cents.
1	2	3
1.	Entire Varanasi District.	5
2.	Entire Mirzapur District.	7
3.	Shahganj Tehsil of District Jaunpur.	5
4.	Entire Partabgarh District, except Kunda & Dhingwas Parganas.	5
5.	Entire Allahabad District except Sirathu Tehsil.	5
6.	Entire Deoria District.	8
7.	Entire Gorakhpur District.	8
8.	Entire Jhansi District except Jhansi and Math Tehsils.	5
9.	Entire Hamirpur District except Hamirpur Tehsil.	5
10.	Entire Banda District except Baberoo Tehsil.	5
11.	Entire Etawah District.	8
12.	Entire Kanpur District.	5
13.	Konch Tehsil of Jalaun District.	5
14.	Entire Meerut District except Municipal and cantonment limits of Meerut Town.	7
15.	Entire Bulandshahar District except Sikandrabad proper and its hamlets.	5
16.	Entire Dehradun District.	8
17.	Entire Saharanpur District.	8
18.	Entire Muzaffarnagar District.	5
19.	Entire Agra District except Firozabad Tehsil.	6
20.	Entire Aligarh District except Koil and Hathras Tehsils.	6
21.	Entire Mathura District except Sadabad Tehsil.	5
22.	Entire Mainpuri District except Bhogaon Tehsil.	5
23.	Entire Faizabad District except the Municipal limits of Ajodhya and Faizabad & Tanda town.	5
24.	Tehsil Daryabad of Barabanki District.	5
25.	Entire Sultanpur District.	5
26.	Entire Rai Bareilly District.	5

[No. 5/58.]

N. L. MEHTA, Collector.

## CENTRAL BOARD OF REVENUE

## INCOME-TAX

New Delhi, the 15th May 1958

**S.O. 955.**—In exercise of the powers conferred by sub-section (4) of Section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby directs that the following amendments shall be made in the Schedule appended to its notification S.O. 660 No. 35-Income-tax dated the 22nd April, 1958.

In the said Schedule under the sub-head "XI-Mysore", against "A' Range, Bangalore" after the entry "6. Rural Circle, Bangalore" the following entry shall be made, namely:—

"7. Udipi Circle"

and the existing entry "7. Special Survey Circle, Bangalore" shall be renumbered as "8".

## Explanatory Note

**NOTE.**—The amendments have become necessary due to the creation of a new circle in the charge of the Commissioner of Income-tax, Mysore.

(This note does not form a part of the notification but is intended to be merely clarificatory.)

[No. 47 (F. No. 50/67/58-IT).]

*New Delhi, the 16th May 1958*

**S.O. 956.**—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922) and in partial modification of all previous notifications on the subject the Central Board of Revenue hereby directs that with effect from 10th May, 1958 (forenoon) Shri M.E. Rehman a Commissioner of Income-tax, shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or such incomes or classes of incomes or such cases or classes of cases as are comprised in the following Income-tax Circles, Wards and Districts namely:

Central Section I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV and Central Circles I-A, I-B, I-C, II-A, II-B, II-C, II-D and II-E at Bombay and Central Circle I, II & III at Ahmedabad.

Provided that he shall also perform his functions in respect of such persons or such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him.

Provided further that he shall now perform his functions in respect of such persons or such cases as have been or may be assigned to any income-tax authority outside his jurisdictional area.

While performing the said functions the said Shri Rehman shall be designated as the Commissioner of Income-tax (Central) Bombay with headquarters at Bombay.

*Explanatory Note*

**NOTE.**—The amendments have become necessary on account of a change in the incumbent of Commissioner's post.

(The above note does not form a part of the notification but is intended to be merely clarificatory.)

[No. 48 (F.No.55/23/58-IT).]

*New Delhi, the 22nd May 1958*

**S.O. 957.**—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922) and in partial modification of all previous notifications on the subject, the Central Board of Revenue hereby directs that with effect from 18th May 1958 (forenoon) Shri F. H. Vallibhey who has been appointed by the Central Government to be a Commissioner of Income-tax, shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or such incomes or classes of incomes or such cases or classes of cases as are comprised in the following Income-tax Circles, Wards and Districts namely:—

1. All Income-tax Circles and Wards at Poona.
2. All Income-tax Wards in South Satara District.
3. Satara North District.
4. All Income-tax Wards in Kolhapur District.
5. All Income-tax Wards in Thana District.
6. All Income-tax Wards in Kolaba District.
7. Ratnagiri District.
8. All Income-tax Wards in Sholapur District.
9. All Income-tax Wards in Ahmednagar District.
10. Special Survey Bombay South Circle, Poona.
11. All Income-tax Wards/Circles of Akola District.
12. Yeotmal District.
13. Amravati District.
14. Wardha District.
15. All Income-tax Wards/Circles comprising the Districts of Buldhana and Chanda.
16. All Income-tax Wards/Circles in Aurangabad District.
17. All Income-tax Wards/Circles in Nandad District.

18. All Income-tax Wards/Circles comprising the Districts of Parbhani, Bhil and Usmanabad.

19. Special Estate Duty-cum-Income-tax Circle, Poona.

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him.

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Income-tax Authority outside his jurisdictional area.

While performing the said functions the said Shri Vallibhey shall be designated as the Commissioner of Income-tax Bombay South with headquarters at Poona.

*Explanatory Note*

Note:—The amendments have become necessary due to a change in the incumbent of Commissioner's post.

(The above note does not form a part of the notification but is intended to be merely clarificatory.)

[No. 52 (F.No. 55/23/58-IT).]

*New Delhi, the 26th May 1958*

**S.O. 958.**—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922) and in partial modification of all previous notifications on the subject the Central Board of Revenue hereby directs that Shri N. D. Mehrotra a Commissioner of Income-tax, shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or such incomes or classes of incomes or such cases or classes of cases as are comprised in the following income-tax Circles, Wards and Districts, namely:—

1. Rajkot Circle.
2. Special Survey Circle II, Rajkot.
3. Bhavnagar Circle.
4. Jamnagar Circle.
5. Surendranagar Circle.
6. Junagadh Circle.
7. Amreli Circle.
8. Morvi Circle.
9. Porbandar Circle.
10. Bhuj Circle.
11. Nasik Circle.
12. Jalgaon Circle.
13. Dhulia Circle.
14. Surat Circle.
15. Navsari Circle.
16. Broach Circle.
17. Nadiad Circle.
18. Godhra Circle.
19. Baroda Circle.
20. Special Circle, Baroda.
21. Petlad Circle.
22. Mehsana Circle.
23. Patan Circle.
24. Circle I, Ahmedabad.
25. Circle, II, Ahmedabad.
26. Circle, III, Ahmedabad.
27. Special Circle, Ahmedabad.
28. Special Circle, I, Ahmedabad.
29. Special Circle, II, Ahmedabad.
30. Special Survey Circle I, Ahmedabad.
31. Special Investigation Branch, Ahmedabad.
32. Kadi Circle.
33. Palanpur Circle.
34. E.D. cum I.T. Circle, Ahmedabad.
35. E.D. cum I.T. Circle, Baroda.
36. E.D. cum I.T. Circle, Surat.
37. E.D. cum I.T. Circle, Rajkot.

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him.

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any income-tax authority outside his jurisdictional area.

While performing, the said functions the said Shri Mehrotra shall be designated as the Commissioner of Income-tax, Bombay North with headquarters at Ahmedabad.

This notification shall be deemed to have taken effect from the 16th May 1958 (forenoon).

#### *Explanatory Note*

The amendments have become necessary on account of a change in the incumbent of the post of the Commissioner of Income-tax.

(This does not form a part of the notification but is intended to be merely clarificatory.)

[No. 53 (F. No. 55/23/58-IT).]

B. V. MUNDKUR, Under Secy.

*New Delhi, the 27th May 1958*

#### NOTIFICATION UNDER SECTION 9 OF THE EXPENDITURE-TAX ACT, 1957

**S.O. 959.**—In exercise of the powers conferred by section 9 of the Expenditure-tax Act, 1957 (29 of 1957), the Central Board of Revenue hereby—

- (i) empowers every person appointed to be a Commissioner of Income-tax under sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), to exercise the functions of a Commissioner of Expenditure-tax; and
- (ii) directs every such Commissioner of Expenditure-tax to perform his functions in respect of such areas over which, or of such persons or classes of persons in respect of whom, he performs the functions of the Commissioner of Income-tax under the said Income-tax Act.

[No. E.T.3.]

#### NOTIFICATION UNDER SECTION 8 OF THE EXPENDITURE-TAX ACT, 1957

**S.O. 960.**—In exercise of the powers conferred by section 8 of the Expenditure-tax Act, 1957 (29 of 1957), the Central Board of Revenue hereby—

- (i) empowers every person appointed to be an Appellate Assistant Commissioner of Income-tax under sub-section (3) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), to exercise the functions of an Appellate Assistant Commissioner of Expenditure-tax; and
- (ii) directs every such Appellate Assistant Commissioner of Expenditure-tax to perform his functions in respect of such areas over which, or of such persons or classes of persons in respect of whom, he performs the functions of the Appellate Assistant Commissioner of Income-tax under the said Income-tax Act.

[No. E.T.4.]

N. SRINIVASAN, Secy.

#### CUSTOMS

*New Delhi, the 31st May 1958*

**S.O. 961.**—In exercise of the powers conferred by section 9 of the Sea Customs Act, 1878 (8 of 1878) as in force in India and as applied to the State of Pondicherry, the Central Board of Revenue makes the following rule prescribing and limiting the powers and duties of officers of Customs at the ports of Bombay, Calcutta, Madras, Cochin, Vizagapatam and Kandla, namely:—

All Customs collectors and other officers of Customs at the ports of Bombay, Calcutta, Madras, Cochin, Vizagapatam and Kandla, are required to

prevent smuggling and are authorized to exercise all the powers conferred by Chapter XVII of the Sea Customs Act, 1878 (8 of 1878), on officers of Customs duly employed in the prevention of smuggling.

[No. 178.]

M. A. RANGASWAMY, Secy.

## MINISTRY OF COMMERCE AND INDUSTRY

*New Delhi, the 24th May 1958*

**S.O. 962.**—In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following further amendment in the Cotton Control Order, 1955, namely:—

In the said order, in Form 'C' for the word "fortnight" wherever it occurs, the word 'month' shall be substituted.

[No. 24(3)-Tex(A)/58-6.]

B. K. VARMA, Under Secy.

*New Delhi, the 31st May 1958*

**S.O. 963.**—In exercise of the powers conferred by sub-section (2) of section 8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby directs that the provisions of the said Act shall apply to the Provident Fund established for the benefit of the employees of the Khadi and Village Industries Commission.

[No. 14(63)/56-KVE(ii).]

**S.O. 964.**—In exercise of the powers conferred by sub-section (3) of section 8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby adds to the Schedule to the said Act the name of the following public institution, namely:—

"The Khadi and Village Industries Commission".

[No. 14(63)/56-KVE(i).]

K. S. LUTHRA, Under Secy.

## THE KHADI AND VILLAGE INDUSTRIES COMMISSION (CONTRIBUTORY PROVIDENT FUND) REGULATIONS, 1958

*New Delhi, the 31st May 1958*

**S.O. 965.**—In exercise of the powers conferred by Section 27 of the Khadi and Village Industries Commission Act, 1956 (61 of 1956), the Commission hereby makes, with the previous sanction of the Central Government, the following Regulations, namely:—

1. These Regulations may be called the Khadi and Village Industries Commission (Contributory Provident Fund) Regulations, 1958.
2. They shall be deemed to have come into force on the 1st day of April, 1957.
3. In these regulations, unless the context otherwise requires:
  - (a) "Chairman" means the Chairman of the Commission.
  - (b) "Chief Accounts Officer" means the Chief Accounts Officer appointed by the Commission.
  - (c) "Chief Executive Officer" means the Chief Executive Officer appointed by the Commission, under rule 8 of the Khadi and Village Industries Commission Rules, 1957.
  - (d) "Commission" means the Khadi and Village Industries Commission, established under section 4 of the Khadi and Village Industries Commission Act, 1956 (61 of 1956).
  - (e) "Emoluments" means pay plus 50 per cent of dearness allowance, if any and leave salary (exclusive of all other allowances);

(f) "Family means:—

- (i) in the case of a male subscriber, the wife or wives and children of a subscriber, and the widow, or widows and children of a deceased son of the subscriber:

Provided that if a subscriber proves that his wife has been judicially separated from him, or has, under the customary law of the community to which he belongs, ceased to be entitled to maintenance, she shall thereafter be deemed to be no longer a member of the subscriber's family in matters to which these regulations relate, unless the subscriber subsequently indicates by express notification in writing to the Chief Accounts Officer that she shall continue to be so regarded;

- (ii) in the case of a female subscriber, the husband and children of the subscriber, and the widow or widows and children of a deceased son of the subscriber;

Provided that if a subscriber by notification in writing to the Chief Accounts Officer expresses her desire to exclude her husband from her family, the husband shall thenceforth be deemed to be no longer a member of the subscriber's family in matters to which these regulations relate, unless the subscriber subsequently cancels formally in writing her notification excluding him.

NOTE. I:—"Children" means the legitimate children.

NOTE II.—An adopted child shall be considered to be a child when the Chief Accounts Officer, is satisfied that under the personal law of the subscriber adoption is legally recognised as conferring the status of a natural child.

- (g) "Fund" means the Contributory Provident Fund of the Commission.

- (h) "Year" means financial year ending on 31st March.

#### CONSTITUTION AND MANAGEMENT OF THE FUND

4. (1) The Fund shall be administered by the Commission.

(2) All employees of the Commission as have been appointed in a substantive capacity shall subscribe to the fund in accordance with these regulations.

(3) Temporary employees who are on probation or who have not been appointed in a substantive capacity to posts under the Commission may be permitted by the Chief Executive Officer to subscribe to the Fund: provided that the Commission's contribution and interest thereon will be provisional in the first instance and in the event of the employees' service being terminated for any reason whatsoever within five years of the commencement thereof, will be liable to be completely withheld.

(4) Re-employed pensioners in receipt of pension may also be permitted to subscribe to the Fund subject to the condition that they will not be entitled to receive the Commission's contribution.

(5) The undermentioned categories of the Commission shall not be eligible to subscribe to the Fund:—

(i) establishment paid daily wages;

(ii) Government servants and employees of other bodies and institutions, on deputation to the Commission;

(iii) employees whose terms of employment are governed by special contracts;

(iv) employees engaged on trading operations; and

(v) other employees not specifically made eligible for the benefits of the Fund under these regulations

(6) No employees shall be permitted to resign his membership of the Fund during his service under the Commission

(7) When a subscriber is transferred to foreign service or sent on deputation out of India, he shall remain subject to the rules of the Fund, in the same manner, as if he were not so transferred or sent on deputation.

(8) Any subscriber who for any reason ceases to be in the service of the Commission shall cease to be a member of the Fund.

### NOMINATION

5. (1) A subscriber shall as soon as may be after joining the Fund, send to the Chief Accounts Officer a nomination, conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund, in the event of his death before that amount has become payable, or having become payable, has not been paid;

Provided that if, at the time of making the nomination the subscriber has a family, the nomination shall not be in favour of any person or persons other than the members of his family.

(2) If a subscriber nominates more than one person under sub-rule (1), he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

(3) Every nomination shall be in such one of the Forms set forth in the first schedule as is appropriate in the circumstances.

(4) A subscriber may at any time cancel a nomination by sending a notice in writing to the Chief Accounts Officer.

Provided that the subscriber shall along with such notice send a fresh nomination made in accordance with the provisions of this regulation.

(5) A subscriber may provide in a nomination—

(a) in respect of any specified nominee that in the event of his predeceasing the subscriber, the right conferred upon that nominee shall pass to such other person as may be specified in the nomination;

(b) that the nomination shall become invalid in the event of the happening of a contingency specified therein;

provided that if at the time of making the nomination the subscriber has no family, he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family.

(6) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of sub-regulation (5) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of sub-regulation (5) or the proviso thereto, the subscriber shall send to the Chief Accounts Officer a notice in writing cancelling the nomination together with a fresh nomination made in accordance with the provision of this regulation.

(7) Every nomination made, and every notice of cancellation given, by a subscriber shall, to the extent that it is valid, take effect, on the date on which it is received by the Chief Accounts Officer.

### SUBSCRIBER'S ACCOUNTS

6. An account shall be opened in the name of each subscriber in which shall be credited:—

(i) the subscriber's subscriptions;

(ii) contributions made under regulation 10 by the Commission to his account;

(iii) interest, as provided by regulation 11, on subscriptions, and,

(iv) interest, as provided by regulation 11, on contributions.

### CONDITIONS AND RATES OF SUBSCRIPTIONS

7. (1) Every subscriber shall subscribe monthly to the Fund when on duty or foreign service, or on deputation.

(2) A subscriber may, at his option, not subscribe during leave.

(3) A subscriber shall intimate his decision of not subscribing during leave in the following manner:

(a) if he is an officer who draws his own pay bills, by making no deduction on account of subscriptions in his first pay bill drawn after proceeding on leave.

(b) if he is not an officer who draws his own pay bills, by written communication to the Chief Accounts Officer, before he proceeds on leave:



Provided that:

- (i) failure to make due and timely intimation shall be deemed to constitute an election to subscribe, and
- (ii) the option of a subscriber intimated under this sub-regulation shall be final.

(4) A subscriber who has under regulation 17, withdrawn the amount of subscription and interest thereon, shall not subscribe to the Fund after such withdrawals, unless and until he returns to duty.

8. (1) The amount of subscription shall be fixed in whole rupees by the subscriber himself:

Provided that such amount shall not be less than 8-1/3 per cent of his emoluments and more than his total emoluments.

(2) For the purposes of sub-regulation (1) the emoluments of a subscriber shall be:—

- (a) in the case of a subscriber who was in service of the Commission on the 31st March of the preceding year, the emoluments to which he was entitled on that date:

Provided as follows:—

- (i) if the subscriber was on leave on the said date and elected not to subscribe during such leave or was under suspension on the said date, his emoluments shall be the emoluments to which he was entitled on the first day after his return to duty;
- (ii) if the subscriber was on deputation out of India on the said date or was on leave on the said date and continues to be on leave and has elected to subscribe during such leave, his emoluments shall be the emoluments to which he would have been entitled, had he been on duty in India;
- (iii) if the subscriber joined the Fund for the first time on a day subsequent to the said date, his emoluments shall be the emoluments to which he was entitled on such subsequent date;
- (b) in the case of a subscriber who was not in the service of the Commission on the 31st March of the preceding year, the emoluments to which he was entitled on the first day of his service or, if he joined the Fund for the first time on a date subsequent to the first day of his service, the emoluments to which he was entitled on such subsequent date:

Provided that, if the emoluments of the subscriber are of a fluctuating nature, they shall be calculated in such manner as the Chief Executive Officer may direct.

(3) The subscriber shall intimate the fixation of the amount of his monthly subscription in each year in the following manner:—

- (a) if he was on duty on the 31st March of the preceding year, by the deduction which he makes in this behalf from his pay bill for that month;
- (b) if he was on leave on the 31st March of the preceding year and elected not to subscribe during such leave; or was under suspension on that date by the deduction which he makes in this behalf from his first pay bill after his return to duty;
- (c) if he has entered the service of the Commission for the first time during the year, by the deduction which he makes in this behalf, from his pay bill for the month during which he joins the fund;
- (d) if he was on leave on the 31st March of the preceding year, and continues to be on leave and has elected to subscribe during such leave; or if he was on foreign service on the 31st March of the preceding year; by the deduction which he causes to be made in this behalf from his salary bill for that month;
- (e) if his emoluments are of the nature referred to in the proviso to sub-regulation (2), in such manner as the Chief Executive Officer may direct.

(4) The amount of subscription so fixed shall remain unchanged throughout the year:

Provided that if a subscriber is on duty for a part of a month and on leave for the remainder of that month, and if he has elected not to subscribe, during leave, the amount of the subscription payable shall be proportionate to the number of days spent on duty in the month.

#### REALISATION OF SUBSCRIPTION

9. Recovery of subscription and of the principal and interest of advance shall be made from the monthly pay or leave salary bill as the case may be. When a subscriber is on foreign service or on deputation, he shall remit the subscription in cash to the Chief Executive Officer, so as to reach him before the 5th of each month immediately following the month for which the subscription is due.

#### CONTRIBUTION BY THE COMMISSION

10. (1) The Commission shall, with effect from the 31st March of each year, make a contribution to the account of each subscriber:

Provided that if a subscriber quits the service or dies during a year, contribution shall be credited to his account for the period between the close of the preceding year and the date of the occurrence of either event.

(2) The contribution shall be  $8\frac{1}{3}$  per cent of the subscriber's emoluments drawn on duty during the year or period, as the case may be, or equal to the amount of the contribution of the subscriber whichever is less.

(3) If a subscriber is on deputation out of India, the emoluments which he would have drawn had he been on duty in India shall, for the purposes of this regulation be deemed to be emoluments drawn on duty.

(4) The amount of any contribution payable in respect of a period of foreign service shall, unless it is recovered from the foreign employer, be recovered by the Commission from the subscriber.

(5) Should a subscriber elect to subscribe during leave, his leave salary shall, for the purposes of this regulation be deemed to be emoluments drawn on duty.

(6) The amount of contribution payable shall be rounded to the nearest whole rupee (50 Naye Paise or more counting as the next higher rupee).

#### INTEREST

11. (1) The Commission shall pay to the credit of the account of a subscriber interest, at such rate as government may from time to time prescribe for the payment of interest on subscriptions to the General Provident Fund maintained for Government servants, on the amount at his credit in the Fund.

(2) Interest shall be credited with effect from the 31st March of each year in the following manner:

(i) on the amount at credit of a subscriber on the 31st March of the preceding year, less any sum withdrawn during the current year interest for twelve months.

(ii) on sums withdrawn during the current year interest from the 1st April of the current year upto the last day of the month preceding the month of withdrawal.

(iii) on all sums credited to the subscriber's account after the 31st March of the preceding year interest from the date of deposit upto the 31st March of the current year.

(iv) the total amount of interest shall be rounded to the nearest whole rupee (50 Naye Paise or more counting as the next higher rupee).

Provided that when the amount standing at the credit of a subscriber has become payable, interest shall thereupon be credited under this sub-regulation in respect only of the period from the beginning of the current year or from the date of deposit, as the case may be, upto the date on which the amount standing at the credit of the subscriber becomes payable.

(3) For the purposes of this regulation the date of deposit shall, in the case of recoveries from emoluments, be deemed to be the first day of the month in which they are recovered; and in the case of amount forwarded by the subscriber, shall be deemed to be the first day of the month of receipt, if they are received by the Chief Accounts Officer before the fifth day of that month, or, if they are received on or after the fifth day of that month, the first day of the next succeeding month.

(4) In addition to any amount to be paid under regulation 20 interest thereon upto the end of the month preceding that in which payment is made, or upto the end of the sixth month after the month in which such amount became payable, whichever of these periods be less, shall be payable to the persons to whom such amount is to be paid:

Provided that no interest shall be paid in respect of any period after the date which the Chief Accounts Officer has intimated to that person (or his agent) as the date on which he is prepared to make payment in cash, or if pays by cheque, after the date on which the cheque in that person's favour is put in the post.

(5) Interest shall not be credited to the account of a Muhammadan subscriber, if he informs the Chief Accounts Officer that he does not wish to receive it; but if he subsequently asks for interest it shall be credited with effect from the 1st April of the year, in which he asks for it.

(6) The interest on amounts which under regulation 16 or regulation 17 are replaced at the credit of the subscriber in the Fund, shall be calculated at such rates as may be successively prescribed under sub-regulation (1) of this regulation.

#### ADVANCES FROM THE FUND

12. A temporary advance may be granted to subscriber from the amount standing to his credit in the Fund at the discretion of the Chief Executive Officer, subject to the following conditions.

(a) No advance shall be granted unless the Chief Executive Officer is satisfied of the necessity for the advance and that the applicant's pecuniary circumstances justify it, and that it will be expended on the following object or objects and not otherwise:—

(i) to pay expenses incurred in connection with the prolonged illness of the applicant or any person actually dependent on him.

(ii) to pay obligatory expenses on a scale appropriate to the applicant's status in connection with marriages, funerals or ceremonies which by his religion it is incumbent on him to perform:

(iii) to pay insurance premia on the insurance policy of the employee subject to the condition that such advance shall not exceed 50 per cent of the amount of the premium.

(b) An advance shall not, except for special reasons exceed six months pay or 50 per cent of the total amount standing to the credit of the subscriber, whichever is less. It shall, however, in no case exceed the amount of subscription and interest thereon standing to the credit of the subscriber in the Funds.

(c) An advance shall not, except for special reasons, be granted until at least twelve months after the final repayment of all previous advances together with interest thereon, unless the amount already advanced does not exceed two thirds of the amount admissible under clause (b).

(d) The Chief Executive Officer shall record in writing his reason/reasons for granting the advance;

Provided that, if the reason is of a confidential nature, it may be communicated to the Chief Accounts Officer personally and/or confidentially.

13. (1) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the Chief Executive Officer may direct, but such number shall not be less than twelve unless the subscriber so elects, or in any case not more than thirty-six. A subscriber may, at his option, make repayment in a smaller number of instalments than that prescribed. Each instalment shall be a number of whole rupees, the amount of the advance being raised or reduced if necessary to admit of the fixation of such instalments.

(2) Recovery shall be made in the manner provided in regulation 9 for the realisation of subscriptions and shall commence on the first occasion after the advance is made on which the subscriber draws emoluments, other than leave salary or subsistence grant, for a full month. Recoveries shall not be made, except with the subscriber's consent, while he is on leave or in receipt of subsistence grant, and may be postponed by the Chief Executive Officer during the recovery of an advance of pay granted to the subscriber.

(3) If more than one advance has been made to a subscriber each advance shall be treated separately for the purpose of recovery.

(4) (a) After the principal of the advance has been fully repaid, interest shall be paid thereon at the rate of one fifth percent of the principal for each month or broken portion of a month during the period between the drawal and complete repayment of the principal:

Provided that Muhammadan subscribers whose deposits in the Fund carry no interest shall not be required to pay into the Fund any additional instalments on account of interest on advances granted to them from the Fund.

(b) Interest shall ordinarily be recovered in one instalment in the month after complete repayment of the principal but if the period referred to in clause (a) exceeds twenty months, interest may, if the subscriber so desires, be recovered in two equal monthly instalments. The method of recovery shall be that provided in sub-regulation (2). Payment shall be rounded to the nearest whole rupee, (50 Naye Paisa or more counting as the next higher rupee).

(5) Recoveries made under this regulation shall be credited, as they are made, to the account of the subscriber in the Fund.

14. Notwithstanding anything contained in these regulations if the Chief Executive Officer is satisfied that money drawn as an advance from the Fund under clause (a) of regulation 12 has been utilised for a purpose other than that for which sanction was given to the drawal of the money, the amount in question, shall, with interest at the rate provided in regulation 11, forthwith be repaid by the subscriber to the Fund, or in default be ordered to be recovered in one sum from the emoluments of the subscriber, even if he be on leave. If the total amount to be repaid is more than half the subscriber's emoluments, recoveries shall be made in monthly instalments of moieties of emoluments, till the entire amount recoverable be repaid by him.

NOTE.—The term "emoluments" as used in this regulation does not include subsistence allowance.

#### FINAL WITHDRAWAL

15. Final withdrawal of the amounts at the credit of the subscriber will be permitted by the Commission for house building purposes on the following terms and conditions:—

- 1(a) Withdrawals may be permitted either for the purpose of building or acquiring a suitable house including the cost of site or for repayment of any outstanding amounts on account of loans expressly taken for the purpose aforesaid before the date of the receipt of the application for withdrawal.
- (b) The concession will be admissible to the subscribers.....  
.....five years before attaining the age of superannuation or, on their completion of 25 years total service (including broken periods of service, if any), whichever is earlier.
- (c) Withdrawals from the Fund shall not exceed the amount actually subscribed by an employee of the Commission along with interest thereon standing to his credit, or, the actual cost of the house including the cost of the site, or repayment of the loan in that behalf, which ever is less. If as mentioned above the amount withdrawn exceeds the actual expenditure or repayment as aforesaid, the excess shall be refunded to the Commission forthwith in one lump sum together with interest thereon at the rates provided in regulation 11. The actual expenditure incurred in connection with sale or transfer of deeds may be reckoned as part of the cost of the house.
- (d) The house proposed to be acquired or redeemed by the Commission's employee with the help of the amount withdrawn as aforesaid shall be situated at the place of his duty or his intended place of residence after retirement.
- (e) Withdrawals will be permitted for the building, acquisition or redemption of one house only; and further in those cases only where the Commission's servant does not already own a house, at the place referred to above.

- (f) The construction of the house shall be commenced within six months of withdrawal of money and shall be completed within a period of one year from the date of commencement of construction. If, however, the house is to be purchased or redeemed or a private loan previously raised for the purpose has to be repaid, this shall be done within three months of the withdrawal.
- (g) In the case of construction of a house, the withdrawal will be permitted only in equal instalments (not less than two and not more than four in number), the instalments after the first being authorised by Chief Accounts Officer after verification regarding progress of construction of the house.
- (h) The Commission's employee shall submit an annual declaration in such form as may from time to time be required by the Commission on or before the 31st of December in each year and satisfy the Chief Executive Officer, if called upon to do so, by production of tax receipts, title deeds etc. that the house remains in his sole ownership and that while he is still in service he has not parted with the possession thereof by way of transfer, sale, mortgage, gift, exchange lease for a term exceeding three years or otherwise howsoever without the previous permission of the Chief Executive Officer in writing. The amount withdrawn shall be repayable forthwith in one instalment together with interest thereon at the rate provided in regulation 11 from the month of such withdrawal if the house is sold or encumbered at any time before retirement without such permission.

NOTE.—Before sanctioning the withdrawal, the Chief Executive Officer will satisfy himself that:

- (a) The amount is actually required for the purpose of building acquiring or redeeming a house as mentioned above;
- (b) The Commission's employee possesses or intends to acquire forthwith the right to build on the site on which the house is proposed to be built;
- (c) the amount withdrawn together with such other private savings if any, as the Commission's employee may have, would be sufficient to build, acquire or redeem the house of the type proposed;
- (d) The applicant has an approved plan and permits where necessary from the local authorities, for the purchase of building materials to the extent required and at controlled rates;
- (e) In the case of withdrawal for the purpose of a ready-built house, the applicant secures an undisputed title to the house and the land on which the house is built before the purchase price is paid;
- (f) before withdrawals are permitted for the repayment of loans taken from private parties expressly for the purpose of acquiring a house or for redeeming the house, the applicant has acquired or will acquire an unencumbered title to the house thus acquired;
- (g) the applicant has signed an undertaking as in the form set out in schedule II to these regulations or where this form is not suitable e.g., in case of redemption of mortgaged premises belonging to the commission's servant, in such form as may be approved by the Chief Executive Officer, indicating the main terms and conditions of the withdrawal sanctioned in these regulations;
- (h) for the purpose referred to in clauses (c) and (f) above, the commission's employee has produced necessary deeds and papers to the Chief Executive Officer proving his title in respect of the property under consideration.

(2) The Chief Executive Officer will be the sanctioning authority for the purpose of these rules when all the terms and conditions for the withdrawal are fulfilled; cases necessitating the relaxation of any of the terms and conditions shall be referred to the Chairman.

(3) The actual withdrawal from the Fund will be made only on receipt of an authorisation from the Chief Accounts Officer who will arrange this as soon as the formal sanction of the Chief Executive Officer is issued.

## CIRCUMSTANCES IN WHICH ACCUMULATIONS ARE PAYABLE

16. When a subscriber quits service, the amount standing to his credit in the Fund shall, subject to any deduction under regulation 19 become payable to him:

Provided that a subscriber, who has been dismissed from service and is subsequently reinstated in service shall, if required to do so by the Chief Executive Officer, repay any amount paid to him from the Fund in pursuance of this regulation with interest thereon at the rate provided in regulation 11, in the manner provided in the proviso to regulation 17. The amount so repaid shall be credited to his account in the Fund, the part which represent the Commission's contribution with the interest thereon being accounted for in the manner provided in regulation 6.

17. When a subscriber .

(a) has proceeded on leave preparatory to retirement.

OR

(b) while on leave, has been permitted to retire or declared by competent medical authority to be unfit for further service the amount of subscriptions and interest thereon standing to his credit in the Fund, shall upon application made by him in that behalf to the Chief Executive Officer become payable to the subscriber:

Provided that the subscriber, if he returns to duty, shall if required to do so by the Chief Executive Officer, repay to the Fund for credit to his account, the whole or part of any amount paid to him from the Fund, in pursuance of this rule, with interest thereon, at the rate provided in regulation 11 in cash or securities, or partly in cash and partly in securities, by instalments or otherwise, by recovery from his emoluments or otherwise, as the Chief Executive Officer may direct.

18. Subject to any deduction under regulation 19, on the death of a subscriber before the amount standing to his credit has become payable, or where the amount has become payable, before payment has been made:—

(i) When a subscriber leaves a family;

(a) if a nomination made by the subscriber in accordance with the provisions of regulation 5 in favour of a member or members of his family subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination;

(b) if no such nomination in favour of a member or members of the family of the subscriber subsists, or if such nomination relates only to a part, the amount standing to his credit in the Fund, the whole amount or part thereof to which the nomination does not relate, as the case may be, shall notwithstanding any nomination purporting to be in favour of any person/persons other than a member or members of his family, become payable to the members of his family, in equal shares:

Provided that no share shall be payable to—

- (i) Sons who have attained legal majority;
- (ii) Sons of a deceased son, who have attained legal majority;
- (iii) Married daughters whose husbands are alive;
- (iv) Married daughters of deceased son, whose husbands are alive;

if there is any member of the family other than those specified in clauses (i) to (iv):

Provided further that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (1) of the first proviso.

NOTE.—Any sum payable under these regulations to a member of the family of a subscriber vests in such manner as prescribed under sub-section (2) of section 3 of the Provident Funds Act, 1925.

(ii) When the subscriber leaves no family, if a nomination made by him in accordance with the provisions of regulations 5 in favour of any person or persons subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination.

**NOTE 1.**—When a nominee is a dependent of the subscriber as defined in clause (c) of section 2 of the Provident Fund Act, 1925, the amount vests in such nominee under sub-section (2), of section 3 of that Act.

**NOTE 2.**—When the subscriber leaves no family and no nomination made by him in accordance with the provision of regulation 5 subsists or if such nomination relates only to part of the amount standing to his credit in the Fund, the relevant provisions of clause (b) and of sub-clause (ii) of clause (c) of sub-section (1) of section 4 of the Provident Funds Act, 1925, are applicable to the whole amount or the part thereof, to which the nomination does not relate.

#### DEDUCTIONS

19. Subject to the condition that no deduction may be made which reduces the credit by more than the amount of any contribution by the Commission with interest thereon credited under regulations 10 and 11 before the amount standing to the credit of a subscriber in the Fund is paid out of the Fund, the Chief Executive Officer may direct the deduction therefrom and payment to the Commission of:—

- (a) any amount, if a subscriber has been dismissed from the service for grave misconduct; provided that, if the order of dismissal is subsequently cancelled, the amount so deducted shall, on his reinstatement in the service, be replaced at his credit in the Fund.
- (b) any amount, if a subscriber leaves his employment under the Commission, within five years of the commencement thereof, otherwise than by reason and superannuation of declaration by competent medical authority that he is unfit for further service.
- (c) any amount, due under a liability incurred by the subscriber to the Commission.

#### PAYMENT

20. (a) When the amount standing to the credit of a subscriber in the Fund or the balance thereof, after any deduction under regulation 19 becomes payable, it shall be the duty of the Chief Accounts Officer, after satisfying himself, when no such deduction has been directed under that regulation, that no deduction is to be made, to make payment as provided in section 4 of the Provident Funds Act, 1925.

(b) If the person to whom under these regulation any amount is to be paid as a lunatic, for whose estate a manager has been appointed on his behalf under the Indian Lunacy Act, 1912, the payment will be made to such managers and not to the lunatic.

(c) Any person who desires to claim payment under this regulation shall send a written application in that behalf to the Chief Accounts Officer. Payment of amounts withdrawn shall be made in India only. The persons, to whom the amounts are payable shall make their own arrangements to receive payment in India.

**NOTE.**—When the amount standing to the credit of a subscriber has become payable under regulations 16, 17 and 18 the Chief Executive Officer, shall effect prompt payment of that portion of the amount, standing to the credit of a subscriber, in regard to which there is no dispute or doubt, the balance being adjusted, as soon after as may be.

(d) The receipt of any person entitled to payment in accordance with these regulations shall be a complete discharge in respect of such payment.

#### PROCEDURE

21. (a) All sums paid into the Fund under these regulations shall be credited in the books of the Commission to an account named "The Contributory Provident Fund Account".

(b) When paying subscription, or instalments of advance taken, the subscriber shall quote the number of his account in the Fund, which shall be communicated to him by the Chief Accounts Officer. Any change in the number shall similarly be communicated to the subscriber by the Chief Accounts Officer.

(c) Separate Accounts shall be kept for each subscriber and each such account shall be divided into two parts. The first part shall show the amount of the subscriber's own personal subscriptions with interest thereon as it accrues and details of all advances and repayments and all other dealings therewith under

these rules. The second part shall show the subscriber's share of the Commission's yearly contribution with interest thereon.

(d) Net monthly subscriptions realised from the subscribers together with the Commission's contribution and interest allowed on both, will as far as possible be invested in Government National Savings Certificate and/or other similar profitable investments as may be approved by the Central Government.

Interest accrued from such investments will go to the Commission Fund whereas the commission will pay to the credit of the Fund, interest at the rate prescribed by the Central Government.

(e) As soon as possible after the 31st March of each year the Chief Accounts Officer shall send to each subscriber a statement of his account in the Fund, showing the opening balance as on the 1st April of the year, showing the total amount credited or debited during the year, the total amount of interest credited as on the 31st of March of the year and the closing balance on that date. The Chief Accounts Officer shall attach to the statement of account an enquiry whether the subscriber—

(i) desires to make any alteration in any nomination made under Regulation 5;

(ii) has acquired a family (in cases where the subscriber made no nomination in favour of a member of his family under the proviso to sub-regulation (5) (b) of regulation (5).

(f) Subscribers should satisfy themselves as to the correctness of the annual statement and errors should be brought to the notice of the Chief Accounts Officer within six months from the date of receipt of the statement.

(g) The Chief Accounts Officer, if required by a subscriber, once, but not more than once in a year, inform the subscriber of the total amount standing to his credit in the Fund at the end of the last month for which his account has been written up.

22. The decision of the Commission on all questions arising out of the above mentioned regulations shall be final.

Sd/- B. P. UMARJI, Chief Executive Officer.

Bombay-1.

6th May, 1958

#### FIRST SCHEDULE

(See Regulation 5)

#### FORM OF NOMINATION NO. I

1. (When the subscriber has a family and wishes to nominate one member thereof):—

I hereby nominate the person mentioned below, who is a member of my family as defined in regulation 3 of the Khadi and Village Industries Commission (Contributory Provident Fund) Regulation 1958, to receive the amount that may stand to my credit in the Fund. In the event of my death before the amount has become payable, or having become payable has not been paid.

Name and Address of nominee . . . . .  
Relationship with subscriber . . . . .  
Age . . . . .  
Contingencies on the happening of which the nomination shall become invalid. . . . .  
Name, address and relationship of the person, if any, to whom the right of the nominee shall pass in the event of his ———

Predeceasing the subscriber.

Name  
Address :—  
Relationship :—

Dated this ——— day of ——— 19  
At

TWO witnesses to signature.

Signature of Subscriber.

(1) ———

(2) ———



## FORM OF NOMINATION NO. II

(When the subscriber has a family and wishes to nominate more than one member thereof):—

I hereby nominate the persons mentioned below who are members of my family as defined in regulation 3 of the Khadi and Village Industries Commission (Contributory Provident Fund) Regulations 1958, to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable, or having become payable has not been paid and direct that the said amount shall be distributed among the said persons in the manner shown below against their names.

Name and address of nominees	Relationship with Subscriber	Age	*Amount or Share of Accumulations to be paid to each	Contingencies on the happenings of which the nomination shall become invalid	Name, Address and relationship of the person, if any to whom the right of nominee shall pass in the event of his/her pre-deceasing the subscriber
1	2	3	4	5	6

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19

At

TWO witnesses to signature.

*Signature of subscriber.*

(1) \_\_\_\_\_

(2) \_\_\_\_\_

\*NOTE:—This column should be filled in, so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

## FORM OF NOMINATION NO. III

1. (When the subscriber has no family and wishes to nominate one person)

I having no family as defined in regulation 3 of the Khadi and Village Industries Commission (Contributory Provident Fund) Regulation 1958, hereby nominate the person mentioned below to receive the amount that may stand to my credit in

the Fund, in the event of my death before that amount has become payable, or having become payable has not been paid.

Name and Address of nominees	Relationship with Subscriber	Age	*Contingencies on the happenings of which the nomination shall become invalid	Name, address and relationship of the person, if any to whom the right of the nominee shall pass in the event of his/her pre-deceasing the subscriber
1	2	3	4	5

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19  
At \_\_\_\_\_

*Signature of Subscriber.*

TWO witnesses to signature.

(1.) \_\_\_\_\_

(2.) \_\_\_\_\_

\*NOTE:—Where a subscriber, who has no family makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

#### FORM OF NOMINATION NO. IV

(When the subscriber has no family and wishes to nominate more than one person):—

I having no family as defined in regulation 3 of the Khadi & Village Industries Commission (Contributory Provident Fund) Regulations 1958, hereby nominate the persons mentioned below to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable, or

having become payable has not been paid, and direct that the said amount shall be distributed among the said persons in the manner shown below.

Name and address of Nominees	Relationship with subscriber	Age	*Amount or Share of accumulation to be paid to each	**Contingencies on the happen- ing of which the nomination shall become invalid	Name, address and relation- ship of the person, if any, to whom the right of the nominee shall pass in the event of his/her pre- deceasing the subscriber
1	2	3	4	5	6

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19  
At \_\_\_\_\_

Two witnesses to Signature

*Signature of subscriber.*

1. \_\_\_\_\_  
2. \_\_\_\_\_

\*NOTE:—This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

\*\*NOTE:—Where a subscriber, who has no family makes a nomination he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

#### SCHEDULE No. II

(See Regulation 15)

To,

The Khadi and Village Industries Commission.

In consideration of the Khadi and Village Industries Commission (hereinafter referred to as the "Commission") having agreed at my request to permit, for purpose, of building or acquiring a suitable house including the cost of the site thereof, withdrawal of the sum of Rs. .... (Rupees.....) only from the amount standing to my credit in the Contributory Provident Fund Account No. .... under the provision of regulation 15 of the Khadi and Village Industries Commission (Contributory Provident Fund) Regulations 1958, I hereby undertake to observe and perform the terms and conditions contained therein in so far as they are applicable to me and in particular to comply with the following terms and conditions, namely:—

1. that the amount for which the withdrawal is applied for shall be actually utilised for the purpose of building or acquiring a suitable house including the site thereof;

2. that if the amount permitted to be so withdrawn is in excess of the actual expenditure incurred by me for building or acquiring a suitable house including the cost of the site thereof, the excess amount together with interest thereon

provided in Regulation II of the Khadi and Village Industries Commission (Contributory Provident Fund) Regulations, 1958 shall be refunded to the Commission for credit to my account in the contributory provident fund forthwith without demur in one lump sum whether the same shall have been demanded or not;

3. that the proposed house to be built or acquired by me with the amount so withdrawn shall be situated at my place of duty or ..... where I intend to reside after retirement;

4. that in the event of my building a house, the construction of the house shall be commenced within six months of the withdrawal of the aforesaid amount and shall be completed within a period of one year from the date of commencement of construction or within such further extended period as the Chief Executive Officer in his absolute discretion allow. In the event of a ready-built house being purchased, any loan previously obtained by me, for such purpose from private parties shall be repaid within three months of the drawal of such amount or such extended period as may be permitted by the Commission;

5. that in the event of my building a house the right to build on the site on which the house is proposed to be built will be acquired by me forthwith.

6. that approved plans and permits where necessary from the Local authorities for the purchase of building materials to the extent required shall be furnished by me;

7. that in the case of a drawal for the purchase of a ready-built house, I would secure an undisputed title to the house and the land on which the house is built before the purchase price is paid;

8. that as long as I am in service I shall submit every year a declaration in the form prescribed by the Commission on or before 31st December, that the house so built or acquired continues to be in my sole ownership and possession;

9. that while in service the house so built or acquired shall not be transferred by me by way of sale, mortgage, exchange or gift or on lease for a term exceeding three years or otherwise howsoever without previous permission of the Chief Executive Officer in writing.

I hereby declare that my private savings together with the amount permitted to be withdrawn will be sufficient to built or acquire the house of the type proposed and that I do not own any house other than the one which is intended to be built or acquired of the place of my duty or at.....my intended place of residence after retirement. I further declare that if the house as not purchased or built in accordance with the provision of the above regulation or if I commit any breach of any of the aforesaid terms and conditions, I shall repay to the Contributory Provident Fund for credit to my account the whole of the amount permitted to be withdrawn from the Fund in pursuance of Regulation 15 together with interest at the rate provided for in regulation 11 thereof.

dated this.....day of.....195

(Signature)

Place.....

Seal

Accepted.

Chairman, Khadi and Village Industries Commission.

[No. 14(63)/56-KVE.]

K. T. SATARAWALA, Jt. Secy.

## ORDERS

New Delhi, the 22nd May 1958

S.O. 966/IDRA/6/1.—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation Act, 1951 (65 of 1951) read with rules 4 and 5 of the Development Councils (Procedural) Rules, 1952, the Central

Government hereby appoint the following persons to be members of the Development Council for the scheduled industry engaged in the manufacture and production of bicycles, as the term of office of the members appointed under the Government of India, Ministry of Commerce and Industry Order No. S.R.O. 432, dated the 16th February, 1956, has expired, namely:—

- |  |   |   |
|--|---|---|
| <p>(a)1. Shri M. G. Vohra,<br/>M/s. Hind Cycles Ltd.,<br/>250, Worli, Bombay.</p>  | } | <p>being persons [who in the opinion of the Central Government are capable of representing the interests of owners of industrial undertakings in the said scheduled industry ;</p>          |
| <p>2. Shri S. Kumar,<br/>Executive Director,<br/>M/s. Pearl Cycle Industries,<br/>Najafgarh Road, New Delhi.</p>                                 |   |   |
| <p>3. Shri Bishamber Das Kapur,<br/>Managing Director,<br/>Atlas Cycle Industries Ltd.,<br/>Sonapat.</p>   |   |   |
| <p>4. Shri K. N. Sahay,<br/>Managing Director,<br/>M/s. Hindustan Vehicles Ltd.,<br/>11, Clive Row,<br/>Calcutta-1.</p>                          |   |   |
| <p>5. Shri Sanjoy Sen,<br/>Technical Director,<br/>Sen-Raleigh Industries of India Ltd.,<br/>Mercantile Buildings,<br/>Lall Bazar, Calcutta.</p> | } | <p>being persons who in the opinion of the Central Government have special knowledge of matters relating to the technical or other aspects of the said scheduled industry ;</p>             |
| <p>6. Shri I.S. Ghulati,<br/>Deputy Development Officer,<br/>Office of the Development Commissioner (S.S.I.),<br/>New Delhi.</p>                 |   |   |
| <p>7. B. A. Forsyth, Esq.,<br/>Director,<br/>T.L. Cycles of India Ltd.,<br/>Arumbur, Madras.</p>   |   |   |
| <p>8. Shri B.S. Sindhu,<br/>Technical Advisor,<br/>James Finlay &amp; Co. Ltd.,<br/>Hamilton Building,<br/>Connaught Place,<br/>New Delhi.</p>   |   |   |
| <p>9. Shri Niranjana Dihider,<br/>Secretary,<br/>Sen-Raleigh Employees Union,<br/>Dhadka Road,<br/>Asansol (West Bengal).</p>                    | } | <p>being a person who in the opinion of the Central Government is capable of representing the interests of persons employed in industrial undertakings in the said scheduled industry ;</p> |
| <p>10. Shri K. R. Sundaram Iyer,<br/>Royal Cycle &amp; Motor Co.,<br/>13/14, Broadway,<br/>Madras.</p>   |   |   |
| <p>11. Shri D. C. Sutaria,<br/>Managing Director,<br/>Bombay Cycle Stores Co. Ltd.,<br/>Nagpur.</p>  | } | <p>being persons who in the opinion of the Central Government are capable of representing the interests of consumers of goods manufactured and produced by the said scheduled industry.</p> |
| <p>12. Shri R. C. Shah,<br/>Director,<br/>C/o, Kusumgar (Overseas) Ltd.,<br/>503, Kalbadevi Road,<br/>Bombay.</p>                                |   |   |
| <p>13. Shri J. P. Mehrotra,<br/>Deputy Director (Engg.),<br/>Indian Standards Institution,<br/>Delhi.</p>  |   |   |

- (b) Two nominees of Development Commissioner (Small Scale Industries) and one other member to be hereafter specified by the Central Government, who will be persons capable of representing the interests of owners of small scale industries and of the employees in industrial undertakings respectively in the said scheduled industry.
2. Shri B. S. Sindhu will be the Chairman of the said Development Council.
3. The Central Government hereby assigns the following functions to the said Development Council, namely:—
- (1) Recommending targets for production, co-ordinating production programmes and reviewing progress from time to time.
  - (2) Suggesting norms of efficiency with a view to eliminating waste, obtaining maximum production, improving quality and reducing costs.
  - (3) Recommending measures for securing the fuller utilisation of the installed capacity and for improving the working of the industry, particularly of the less efficient units.
  - (4) Promoting arrangements for better marketing and helping in the devising of a system of distribution and sale of the produce of the industry which would be satisfactory to the consumer.
  - (5) Promoting standardisation of products.
  - (6) Promoting or undertaking the collection and formulation of statistics.
  - (7) Promoting the adoption of measures for increasing the productivity of labour, including measures for securing safer and better working conditions and provision and improvement of amenities and incentives for workers.

[No. 4(2)IA(II)(G)/58.]

*New Delhi, the 26th May 1958*

**S.O. 967.**—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby declares that the Development Council established for the scheduled industry engaged in the manufacture or production of Soaps, Paints and Plastics, which is known as the Development Council for "Oil-based Industries," under the Government of India, Ministry of Commerce and Industry Order No. 205 dated the 4th March 1958 shall be re-designated as the Development Council for "Oil-based and Plastics Industries" and further direct that in the above mentioned S.R.O., for the words "Oil-based Industries", the words "Oil-based and Plastics Industries" shall be substituted in the opening paragraph.

[No. 5(32)IA(II)(G)/57.]

V. V. NENE, Dy. Secy.

**ORDER****EXPORT TRADE CONTROL***New Delhi, the 26th May 1958*

**S.O. 968.**—In exercise of the powers conferred by sections 3 and 4A of the Imports and Exports (Control) Act, 1947 (18 of 1947), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Exports (Control) Order, 1958, namely:—

In Schedule I to the said Order—

Under the heading "B. RAW MATERIALS AND ARTICLES MAINLY UNMANUFACTURED", entry (x) of item 2 (a) shall be omitted.

[No. Export(1)/AM(3).]

T. S. KUNCHITHAPATHAM, Under Secy.

**ORDER***New Delhi, the 20th May 1958*

**S.O. 969/IDRA/6/12Am.(3).**—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shri Manoobhai Doongursee as a

member of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 2820, dated the 31st August, 1957, for the scheduled industries engaged in the manufacture and production of textiles made of wool, including woollen yarn, hosiery, carpets and druggets, and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order under the category of members "being persons who in the opinion of the Central Government have special knowledge of matters relating to the technical or other aspects of the said scheduled industries" after entry No. 14 B relating to Shri V. N. Kak, the following entry shall be inserted, namely:—

"14C. Shri Manooobhai Doongursee, The All India Wool Trade Federation, P. B. No. 1051, Bombay."

[No. 5(23)IA(II)(G)/58.]

### CORRIGENDUM

*New Delhi, the 26th May 1958*

**S.O. 970.**—In the Ministry of Commerce and Industry Order No. S.R.O. 2820/IDRA/6/12, dated the 31st August, 1957, published in the Gazette of India, Part II Section 3 dated the 7th September, 1957:—

*For* "13. Shri R. K. Birla, Chairman, The Federation of Woollen Manufacturers in India, J. K. Building, Dougall Road, Ballard Estate, Bombay."

*Read* "13. Shri R. K. Birla, C/o Shree Digvijaya Woollen Mills Ltd., Aerodrome Road, Jamnagar".

[No. 5(23)IA(II)(G)/57.]

S. M. BANERJEE, Under Secy

### CORRIGENDUM

*New Delhi, the 26th May 1958*

**S.O. 971.**—In the Ministry of Commerce and Industry S.O. No. 867, dated the 15th May, 1958, published in the Gazette of India Extraordinary Part II, Section 3, sub-section (ii) of the 15th May, 1958, the following corrections shall be made:—

*For* 'Mr. A. K. Mitchell' *read* 'Mr. A. H. Mitchell'.

*For* 'Shri T. D. Markan' *read* 'Shri D. D. Markan'.

[No. IDRA/18A/58.]

B. B. SAKSENA, Jt. Secy.

### (Department of Company Law Administration)

*New Delhi, the 24th May 1958*

**S.O. 972.**—In exercise of the powers conferred by sub-section (1) of section 609 of the Companies Act (I of 1956), the Central Government hereby directs that the office of the Registrar of Companies, U.P. now situated in Lucknow, shall be closed there finally on Saturday the 31st May, 1958 after office hours and shall be reopened at Kanpur with effect from Monday the 2nd June, 1958.

[No. 4(14)58-G.]

P. B. SAHARYA, Under Secy.

## (Indian Standards Institution)

*New Delhi, the 16th May 1958.*

**S.O. 973.** In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed, have been established during the period 1st to 15th May 1958.

## THE SCHEDULE

Serial No.	No. and title of the Indian Standard established	No. and title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Brief Particulars
(1)	(2)	(3)	(4)
1.	IS: 686-1957 Method for Determination of Colour Fastness of Textile Materials to Daylight.	..	This standard prescribes a method for determination of colour fastness of textile materials to the action of daylight. (Price Rs. 1.50).
2.	IS: 961-1957 Specification for High Tensile Structural Steel.	..	This standard prescribes the requirements for high tensile structural steel in the form of bars, plates and sections, used in bridges and general building construction. This standard is one of the series of Indian Standards being formulated for the implementation of the Steel Economy Programme. (Price Rs. 1.50).
3.	IS: 1122-1957 Methods for Determination of Specific Gravity and Porosity of Natural Building Stones.	..	This standard lays down the procedures for determining true specific gravity, apparent specific gravity and porosity of natural building stones (Price Re. 1.00).
4.	IS: 1124-1957 Method of Test for Water Absorption of Natural Building Stones.	..	This standard lays down the procedures for testing water absorption of natural building stones. (Price Re. 1.00).
5.	IS: 1125-1957 Method of Test for Weathering of Natural Building Stones.	..	This standard lays down the procedure for testing natural building stones for effects of weather. (Price Re. 1.00).
6.	IS: 1126-1957 Method of Test for Durability of Natural Building Stones.	..	This standard lays down the procedure for testing the durability (soundness) of natural building stones. (Price Re. 1.00).
7.	IS: 1127-1957 Specification for Dimensions and Workmanship of Natural Building Stones.	..	This standard lays down the requirements for dimensions and the minimum requirements of workmanship for natural building stones. (Price Rs. 1.50).



(1)	(2)	(3)	(4)
8.	IS: 1145-1957 Specification for Lead-Acid Storage Batteries for Motor Cycles.	..	This standard prescribes the capacities and dimensional and performance requirements of lead acid storage batteries used for motor cycles, including 3-wheel side-car assemblies and auto-rickshas. (Price Rs. 1.50)
9.	IS: 1153-1957 Specification for Temporary Corrosion Preventive, Fluid, Hard Film, Solvent Deposited.	..	This standard prescribes the requirements and the methods of test for temporary corrosion preventive, fluid, hard film, solvent deposited, suitable for protection of clean metal surfaces during transportation and storage. (Price Rs. 2.50).
10.	IS: 1154-1957 Specification for Temporary Corrosion Preventive, Fluid, Soft Film, Solvent Deposited, Water Displacing.	..	This standard prescribes the requirements and the methods of test for temporary corrosion preventive fluid which is suitable primarily as a water displacing agent for wet metal surfaces. (Price Rs. 2.00).
	IS: 1155-1957 Specification for Wheat <i>Atta</i> .	..	This standard prescribes the requirements and the methods of test for wheat <i>atta</i> produced in stone mills or in roller flour mills. (Price Rs. 2.00).
12.	IS: 1156-1957 Specification for Pearl Barley.	..	This standard prescribes the requirements and the methods of test for pearl barley. (Price Rs. 1.50).
13.	IS: 1157-1957 Specification for Barley Powder.	.	This standard prescribes the requirements and the methods of test for barley powder, as distinct from whole-meal barley flour. (Price Rs. 1.50).

Copies of these Indian Standards are available for sale with the Indian Standards Institution, 'Manak Bhavan', 9 Mathura Road, New Delhi-1 and also at its branch offices at (i) 40/40A Cawasji Patel Street, Fort, Bombay-1, (ii) P-11 Mission Row Extension, Calcutta-1 and (iii) 2/21, First Line Beach, Madras-1.


[No. MDC/11(4).]

*New Delhi, the 19th May 1958*

**S.O. 974.** In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution hereby notifies that the Standard Mark, design of which together with the verbal description of the design and the title of the relevant Indian Standard is given in the Schedule hereto annexed, has been specified.

This Standard Mark, for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the rules and regulations framed thereunder, shall come into force with effect from 2nd June 1958.

## THE SCHEDULE

Design of the Standard Mark	No. and title of relevant Indian Standard	Verbal description of the design of the Standard Mark
(1)	(2)	(3)
IS : 203 	IS : 203-1950 Specification for Leclanche Type Dry Cells and Batteries for Flash Lamps.	The monogram of the Indian Standards Institution, consisting of letters ISI, drawn in the exact style and relative proportions as indicated in column (1), the number designation of the Indian Standard being inscribed in the top side of the monogram as indicated in the design.

[No. MDC/11(5).]

**S.O. 975**—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the marking fee per unit for leclanche type dry cells and batteries for flash lamps, details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 2nd June 1958.

## THE SCHEDULE

Serial No.	Product/Class of Products	No. and title of relevant Indian Standard	Unit	Marking Fee per Unit
1.	Leclanche Type Dry Cells and Batteries for Flash Lamps.	IS: 203-1950 Specification for Leclanche Type Dry Cells and Batteries for Flash Lamps.	One thousand dry cells or 25 batteries.	25 Naye Paise per unit for the first 10,000 units, 20 Naye Paise per unit for the next 10,000 units, and 15 Naye Paise per unit for the 20,000 1st unit and over for production during a calendar year.

[No. MDC/11(6).]

LAL C. VERMAN, Director.

## MINISTRY OF STEEL, MINES AND FUEL

(Department of Mines &amp; Fuel)

New Delhi, the 23rd May 1958

**S.O. 976**—In pursuance of rule 48, sub-rule (i) of order XXI of the First schedule to the code of Civil Procedure, 1908, the Central Government hereby appoints the Director, Geological Survey of India as the appropriate officer to receive notices or orders issued under the aforesaid rule in respect of persons employed in the Geological Survey of India.

[No. 18/79/58-MI.]

A. MOBIL, Dy. Secy.

(Department of Iron and Steel)

New Delhi, the 28th May 1958

**S.O. 977.**—In pursuance of rule 48, sub-rule (1), of Order XXI of the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908), the Central Government hereby appoints the Deputy Director (Administration), Office of the Iron and Steel Controller, Calcutta, Deputy Iron & Steel Controller, Bombay and Assistant Iron & Steel Controller, Madras, as Officers to whom notices of orders attaching the salary or allowances of the persons employed in the Iron and Steel Control Organisation, Calcutta, and Regional Offices of the Deputy Iron and Steel Controller at Bombay and the Assistant Iron and Steel Controller at Madras respectively, shall be sent.

[No. 10(14)-29/56-EST.]

New Delhi, the 27th May 1958

**S.O. 978/ESS.COMM/IRON & STEEL-2(c)/Am(16).**—In exercise of the powers conferred by sub-clause (c) of Clause 2 of the Iron and Steel (Control) Order, 1956, the Central Government hereby directs that the following further amendment shall be made to the notification of the Government of India in the Ministry of Steel, Mines and Fuel, No. S.R.O. 2041/ESS.COMM/IRON and Steel-2(c), dated the 11th June, 1957, as amended from time to time, namely:—

In the Schedule annexed to the said notification, in Columns 2 and 3 thereof, after entry No. 19 against 'OTHERS', the following entries shall be inserted, namely:—

	2	3
"19 (i) Director (P & M Directorate), Central Water and Power Commission, Water Wing, New Delhi . . . . .		4 and 5.
19 (ii) Deputy Director (P & M Directorate), Central Water and Power Commission, Water Wing, New Delhi . . . . .		4 and 5."

[No. SC(A)-4(487).]

**S.O. 979/ESS.COMM/IRON & STEEL-2(c)/Am(17).**—In exercise of the powers conferred by sub-clause (c) of Clause 2 of the Iron and Steel (Control) Order, 1958, the Central Government hereby directs that the following further amendment shall be made to the notification of the Government of India in the Ministry of Steel, Mines and Fuel, No. S.R.O. 2041/ESS.COMM/Iron and Steel-2(c), dated the 11th June, 1957, as amended from time to time, namely:—

In the Schedule annexed to the said notification, in columns 2 and 3 thereof, the following entries shall be added to the entries relating to 'OTHERS', namely:—

	2	3
"34. Under Secretary to the Government of India, Ministry of Transport and Communications, Department of Transport (Transport Wing), New Delhi . . . . .		4 and 5 ".

[No. SC(A)-4(487)/I.]

G. RAMANATHAN, Dy. Secy.

**MINISTRY OF FOOD AND AGRICULTURE**

(Department of Agriculture)

(Indian Council of Agricultural Research)

*New Delhi-2, the 23rd May 1958*

**S.O. 980.**—In exercise of the powers conferred by section 15 of the Indian Cotton Cess Act, 1923 (14 of 1923), the Central Government hereby makes the following further amendment in the Indian Cotton Cess Rules, 1923, namely:—

In the said rules, in sub-rule (5) of rule 10A, the words, brackets and figure "the amount to be recovered in accordance with sub-rule (4) being calculated to nearest whole anna" shall be omitted.

[No. 1-54/57-Com.II.(ICCC.R/AM(1)/58.]

MOKAND LALL, Under Secy.

**MINISTRY OF IRRIGATION AND POWER***New Delhi the 20th May 1958*

**S.O. 981.**—In exercise of the powers conferred by sub-rule (2) of rule 11 and clause (b) of sub-rule (2) of rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby directs that the following amendment shall be made to the notification of the Government of India in the Ministry of Irrigation and Power No. S.R.O. 617, dated the 28th February, 1957, namely:—

In part II of the Schedule to the said notification under the heading "Central Water & Power Commission (Power Wing)" in the entries in columns 2 and 3 against the entry "All posts" in column 1, for the words "Assistant Administrative Officer", the words "Administrative Officer" shall be substituted.

[No. 10(4)/57-AVS.]

G. D. KSHETRAPAL, Dy. Secy.

**MINISTRY OF REHABILITATION**

(Office of Chief Settlement Commissioner)

*New Delhi the 12th May 1958*

**S.O. 982.**—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the State of Bombay (Nagpur) for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons. Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquire, the said evacuee properties.

**SCHEDULE**

S. No.	Particulars of the property	Name of evacuee
1.	House No. 91/1 in Chamarpara at Karanji.	M/s Shamsher Ali, son of Abdul Rehman.
2.	Improvement Trust plot No. 659 and 660, area measuring 6395 and 6439 sq. ft. respectively situated in Panchpoli area, Nagpur.	Ali Mohd. Niyag.

[No. 1(1216)/58/Comp.III/Prop.]

*New Delhi, the 20th May 1958*

**S.O. 983.**—Whereas the Central Government is of opinion that it is necessary to acquire certain evacuee properties in the State of Bombay for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires, the evacuee properties specified in the Schedule hereto annexed:

**THE SCHEDULE**

S. No.	Particulars of the property	Name of the evacuee owner
<b>NAGPUR DIST.</b>		
1.	House No. 152, 152/I, I, 2/2, circle No. 17/23, Mominpura, Nagpur.	Nur Ali, son of Jahur Ali.
<b>AMRAVATI DIST.</b>		
2.	Vacant Nazul plot, Ward No. 9, Morshi, Tahsil Morshi, Dist. Amravati.	Siraj Uddin of Morshi.
3.	Simple tiled residential house, Ward No. II Morshi, Tahsil Morshi, Dist. Amravati.	Hinsyath, wife of Amirbeg of Morshi.
<b>DISTRICT BULDANA</b>		
1.	House and one plot in village Jamn, Tahsil Chikhli, Distt. Buldana.	Abdul Munab Khan, son of Mirkhan of Janb.
2.	Double storied house in village Dongaon, Tahsil Mehkar, Distt. Buldana.	Ali Mohamad Haji Ismail.

[No. 1(1216)/56/Comp.III/Prop.]

*New Delhi, the 24th May 1958*

**S.O. 984.**—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee property specified in the Schedule hereto annexed in the State of Bombay (Greater Bombay) for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such person;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (33 of 1954), It is notified that the Central Government has decided to acquire, and hereby acquires, the evacuee property specified in the Schedule hereto annexed.

**THE SCHEDULE**

Particulars of the Evacuee Property	Name and the town and the locality where the property is situated	Name of the Evacuee
C.entral Survey Number 468 of Muzgaon Division.	Building known as Hussainabad Old Anjirwadi, Bombay.	Shri Hussain Kassam Dadr.

[No. 1(1216)/58/Comp.III/Prop.]

**S.O. 985.**—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the Schedule hereto annexed in the State of Rajasthan, for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires, the evacuee properties specified in the Schedule hereto annexed.

## THE SCHEDULE

Sl. No.	Particulars of the property	evacuee	Name of the town and locality/ village in which the property is situated	Name of the evacuee
1	2		3	4
1	House No. 2064 . . . .		Nala Nilgran Chowkri Ram Chandarji, Jaipur.	Abdul Karim, Abdul Majid.
2	House . . . . .		Mohalla Teli Darwaza, Sambhar	Rahim Bux Dino.
3	Kham House and two shops and Agricultural land.		Modhu Rajpura Phagi.	Kayamuddin, and Imamuddin.
4	Shop No. 6/120 . . . .		Mohalla Teplati, Sambhar.	Ramzan Ali Muneer Ali.
5	One House with 9 shops . . . .		Vidhyadhar Ka Rasta, Jaipur . . . .	Hamid Hussain and others, sons of Chand.
6	One House . . . . .		Tripolia Bazar, Jaipur . . . .	Hamid Hussain and others, sons of Chand.
7	One House with shop . . . .		Tripolia Bazar, Jaipur . . . .	Hamid Hussain and others, sons of Chand.
8	One House with 3 Shops . . . .		Tripolia Bazar, Jaipur . . . .	Hamid Hussain and others, sons of Chand.
9	One House . . . . .		Gali Shakoor and Gaffoor, Jaipur.	Hamid Hussain and others, sons of Chand.
10	Firm M/s. Hussanchand and sons		Jaipur . . . . .	Hamid Hussain and others, sons of Chand.
11	Lease Rights of Ram Prakash, Cinema.		Jaipur . . . . .	Hamid Hussain and others, sons of Chand.
12	House No. 2/588-90 . . . .		Mohalla Bas Badan Pura.	Rahim Bux.
13	House No. 956 . . . . .		Behind Phuti Masjid Chowkri Top Khana Hazuri, Jaipur.	Attah Mohamed and Sadiqua Begum.
14	House No. 1664 . . . . .		Mohalla Kantiyan Ki Pipli, Jaipur.	Musmat Raviya.
15	House No. 642 . . . . .		Namak Mandi, Jaipur . . . .	Rahim Bux.
16	House No. 1586 . . . . .		Chora Nikas Road, Jaipur . . . .	Rahim Bux.
17	Plot No. C-40 . . . . .		'C' Scheme, Jaipur . . . .	Nerumuddin Ahmed Jahan.
18	House No. 14/74 . . . . .		Mohalla Sarai Sambar . . . .	Hussain Subrati.
19	One Pacca House two wells and 78 bigas of land.		Sambhar . . . . .	Muneer Khan and Gulabi.
20	Huts . . . . .		Fetez Tiba, Jaipur . . . .	Abdul Hafiz.
21	Shop No. 3/410 . . . . .		Kishin Pole Bazar near Bombay House, Jaipur.	Chhuttan, son of Allah Bux.
22	House No. 264 . . . . .		Mohalla Shikariyan, Jaipur . . . .	Abdul Karim, son of Yusif Hussain.
23	Kacha House . . . . .		Mohalla Imam, Jaipur . . . .	Wahiddan, wife of Noor Khan.
24	House No. 3575/10 . . . .		Mohalla Kumbharan Chowkri Ramchanderji, Jaipur.	Amir Bux.
25	House No. 2127 . . . . .		Sabzi Mandi, Jaipur . . . .	Ikhlaq Ahmed Abdul-lah.
26	House No. 886/4 . . . . .		Mohalla Bistiyan, Jaipur . . . .	Wafati.
27	House No. 487/22 . . . .		Kundigoaran Ka Rasta, Jaipur	Gulam Dasgir.
28	Pacca House . . . . .		Mohalla Bhandarej, Jaipur	Ahmed Bux.
29	House No. 3469 . . . . .		Mohalla Handipura, Near Imam Chowk, Chowkri Ramchanderji Haldiyan Ka Rasta, Jaipur . . . .	Musmat Imtiyazi.
30	Shop No. 194 . . . . .		Ka Rasta, Jaipur . . . .	Musmat Gulab, wife of Rahmat.
31	House No. 123 . . . . .		Moti Doongri Road, Bhopatpara, Jaipur.	Abdullah, Gafoor.

1	2	3	4
32	House No. 1062 . . .	Khejoran Ka Rasta, Jaipur .	Sugra Begum.
33	House No. 271 . . .	Mohalla Fooreshiyar, Jaipur .	Zulliqar Beg.
34	House No. 1367/4 (4/991) . . .	Ram Ganj Bazar, Jaipur .	Abdul Satar, son of Amiruddin.
35	House No. 6/793 . . .	Mohalla Handipura Choukri Ramchanderji, Jaipur.	Mohamed Munir, son of Kalu Khan.
36	House . . . . .	Mohalla Sambhaliyan Ka Kishingarh.	Mustifa Hussain.
37	House No. 677 . . .	Sital Niwas Outside Chamdpole, Jaipur.	Moori, wife of subhan
38	House No. 4686/22 . . .	Purani Kotwali Chowkri Ghat Gate Jaipur.	Wazir Khan.
39	House No. 7/2177 . . .	Sandiyar Ka Khura Choukri Ramchandariji, Jaipur.	Ambal Bux.
40	Haveli No. 4940/23 . . .	Near Purani Kotwali Choukri Ghat Gate, Jaipur.	Ramzani, Son of Budha.
41	Shops Nos. 4/16 and 4/17 . . .	Mohalla Sila Watan, Sambhar .	Faqir Mahboob.
42	House No. 5/591 to 593 and 1/177 and 1/178.	Chhota Bazar, Sambhar .	Bundu, son of Allah-din.
43	House . . . . .	Ward No. 3 Kishingarh . . .	Kalu Khan.
44	One open plot . . . . .	Sambhar . . . . .	Jamna son of Ali.
45	House No. 1481 . . . . .	Near Masjid Dariwalan, Choukri Ghat Gate, Jaipur.	Musmat Humyan Begum.
46	House No. 419 . . . . .	Hanuman Ji Ka Rasta, Jaipur .	Faiz, Nali Muneer.
47	House No. 3572 . . . . .	Sirkigoran Ka Rasta, Choukri Top Khana - Desh, Jaipur.	Musmat Reusa Begum, Marlaum Begum.
48	Plot No. 4797 . . . . .	Gora Nikas Road, Choukri Ramchandariji opposite Tokiya.	Ahmed Khan son of Abdul Rahim Khan
49	House No. 714 . . . . .	Purana Tabela Choukri Ramchandariji, Jaipur.	Musmat Rahiman.
50	House No. 3469 . . . . .	Near Iman Chowk Choukri Ramchandariji, Jaipur.	Intiyaz wife of Mahboob Hussain.
51	House No. 1591 . . . . .	Mohalla Loharan Choukri Top Khan Hazuri, Jaipur.	Kamniddin.
52	House No. 1149 . . . . .	Mohalla Kasaiyan Ka opposite Kasayan Ka Masjid, Jaipur.	Hafiz Bashir, Nazir Ullah, Wazir, etc.

[No. 1(1221)/58/Comp. III/Prop.]

S.O. 986.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the Schedule hereto annexed in the State of Rajasthan, for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires the evacuee properties specified in the Schedule hereto annexed.

## SCHEDULE

Sl. No.	Particulars of the evacuee property	Name of the town and locality/village in which the property is situated	Name of the evacuee
1.	Mumtaz Mahal . . . . .	'C' Scheme, Jaipur, Residency Road.	Abdul Waheab.

[No. 1(1221) S-1/58./Comp. III]

*New Delhi, the 31st May 1958*

**S.O. 987.**—Whereas the Central Government is of opinion that it is necessary to acquire certain evacuee properties in the Union territory of Delhi for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the Schedule.

#### SCHEDULE

1. All agricultural lands and groves (including gardens) situated in the Union territory of Delhi within any area comprising the limits of a corporation, a municipal committee, a notified area, a town area of a small town committee area, a cantonment which was added to any of the aforesaid local authorities during the period between the 15th day of August, 1957 and the 3rd day of June 1955, not hitherto acquired except the following:—

- (i) any such property in respect of which proceedings are pending before any authority on the date of this notification under the Administration of Evacuee Property Act, 1950 (31 of 1950), in which the question at issue is whether the property is or is not evacuee property;
- (ii) any such property in respect of which the period of limitation, if any, fixed for an appeal or revision under the said Act for disputing the vesting of the property in the Custodian as evacuee property has not expired;
- (iii) any such property in respect of which an application under section 16 of the Administration of Evacuee Property Act, 1950, (31 of 1950) is pending on the date of this notification or in respect of which the period of limitation fixed for making such application has not expired;
- (iv) any such property which before the date of this notification has been transferred and the transfer is effective under section 40 of the Administration of Evacuee Property Act, 1950 (31 of 1950) or in respect of which any proceedings are pending under the said section on the date of this notification;
- (v) any such property which is a composite property within the meaning of the Evacuee Interest (Separation) Act, 1951 (64 of 1951);
- (vi) any such property in respect of which any proceeding are pending in a Civil court wherein the question at issue is whether the property is evacuee property or not;
- (vii) any such property which on the date of this notification is being treated or is being managed as a trust property for a public purpose of a religious or charitable nature under sub-section (1) of section 11 of the Administration of Evacuee Property Act, 1950 (31 of 1950).

2. All agricultural lands and groves (including gardens) which were excluded from the purview of the notification of the Government of India in the Ministry of Rehabilitation No. 10(18)S-I/55 dated the 3rd June, 1955, and

- (a) in respect of which any proceedings pending before any authority on the date of the said notification under the Administration of Evacuee Property Act, 1950 (31 of 1950) in which the question at issue was whether the property was or was not evacuee property have been finally determined and the property has been declared to be evacuee property; or
- (b) in respect of which the period of limitation, if any, fixed for an appeal or revision under the said Act for disputing the vesting of the property in the Custodian as evacuee property has since expired;
- (c) in respect of which any application under section 16 of the Administration of Evacuee Property Act, 1950 (31 of 1950) pending on the date of the said notification has been rejected or in respect of which the period of limitation fixed for making such an application has since expired;
- (d) in respect of which any proceedings pending under section 40 of the Administration of Evacuee Property Act, 1950 (31 of 1950) on the date of the said notification have been finally determined and such application has been rejected;



- (c) in respect of which any proceedings pending in a civil court on the date of the said notification wherein the question at issue was whether the property was evacuee property or not have been finally determined and the property has been declared to be evacuee property;
- (f) where any such property being a composite property within the meaning of the Evacuee Interest (Separation) Act, 1951 (64 of 1951) has since ceased to be such and the possession whereof has been delivered to the Custodian under section 10 of the said Act.

[No. 10(6)SI/57/Prop.]

I. N. CHIB, Dy. Chief Settlement Commissioner &  
*Ex-Officio* Dy. Secy.

**(Office of the Chief Settlement Commissioner)**

*New Delhi, the 19th May, 1958*

**S.O. 988.**—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation and Rehabilitation) Act No. 44 of 1954, the Central Government hereby appoints Shri Prahalad Datt, for the time being holding the post of Section Officer in the Rehabilitation Department, Punjab, as Managing Officer, for the Custody, management and disposal of compensation pool.

[No. XII(4)PROP(ADMN)/58.]

*New Delhi, the 21st May 1958*

**S.O. 989.**—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri S.N.Verma, Valuation Officer as Assistant Settlement Commissioner for the purpose of performing the functions assigned to such officer by or under the said Act with effect from the date he took charge of his office.

[No. 12(1)/Admn(R)/CSC/58.]

*New Delhi, the 22nd May 1958*

**S.O. 990.**—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Comp. & Rehab.) Act No. 44 of 1954, the Central Government hereby appoints Servashri S. P. Mathur and Nathu Ram for the time being holding the post of Naib Tehsildars, Delhi as Managing Officers, for the custody, management and disposal of compensation pool.

[No. IV(12)-Admn(Prop)/58.]

*New Delhi, the 26th May 1958*

**S.O. 991.**—In exercise of the powers conferred by Sub-section (1) of section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri I. N. Chib, as Chief Settlement Commissioner for the purpose of performing the functions assigned to such Commissioner by or under the said Act, with effect from the date he took charge of his office.

[No. 11-1/5/58-CSC(A/I).]

**S.O. 992.**—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Person (Claims) Supplementary Act, 1954 (No. 12 of 1954), the Central Government hereby appoints Shri I. N. Chib as Chief Settlement Commissioner for the purpose of performing the functions assigned to such Commissioner by or under the said Act, with effect from the date he took charge of his office.

[No. 11-A/5/58-CSC(A/I).]

**S.O. 993.**—In exercise of the powers conferred by Section 5 of the Administration of Evacuee Property Act, 1950 (31 of 1950), the Central Government hereby appoints Shri I. N. Chib, as Custodian General of Evacuee Property, with effect from the date he took charge of his office.

[No. 11-A/5/58-CSC(A/I).]

M. L. PURI, Settlement Commissioner &  
*Ex-Officio* Under Secy.

**(Office of the Chief Settlement Commissioner)****ORDER***New Delhi, the 26th May 1958*

**S.O. 994.**—In exercise of the powers conferred on me by sub-section (2) of Section 34 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954, I hereby delegate my powers to extend the period for the deposit of the balance of the purchase money or for furnishing particulars of compensation applications of associates in the case of property purchased by auction or tender as required under proviso to sub-rule 11 and 12 of rule 90 of the Displaced Persons (Compensation & Rehabilitation) Rules, 1955 to Shri P. N. Khanna, Regional Settlement Commissioner, Indore.

[No. F. 4(1)Comp.II/57/Pol.1.]

L. J. JOHNSON, Chief Settlement Commissioner.

**MINISTRY OF LABOUR AND EMPLOYMENT***New Delhi, the 21st May 1958*

**S.O. 995.**—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees, Provident Funds Act, 1952 (19 of 1952) and in partial modification of the notification of the Government of India in the Ministry of Labour and Employment S.O. No. 640 dated the 19th April, 1958, the Central Government hereby appoints Shri N. K. Kaushik to be an Inspector for the whole of the State of Punjab for the purposes of the said Act and of any Scheme made thereunder in relation to an establishment which is a factory engaged in a controlled industry or a mine or an oilfield.

[No. PF-I/31(465)/58.]

**S.O. 996.**—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendment in the Andhra Pradesh Coal Mines Bonus Scheme, namely:—

In paragraph 7 of the said Scheme, after sub-paragraph (1), the following sub-paragraph shall be inserted, namely:—

“(1A) The Regional Labour Commissioner (Central) concerned or the officer specified by the Central Government in this behalf, as the case may be, shall give his decision on the application within a period of 21 days from the date of receipt of the application”.

[No. PF-I/3(89)/58.]

**S.O. 997/MDLB/(2)/Am.(5)/57.**—In pursuance of clause 4 of the Madras Dock Workers (Regulation of Employment) Scheme, 1956, the Central Government hereby appoints Shri S. S. T. Chari, to be a member of the Madras Dock Labour Board in place of Shri A. R. Liddiard who has resigned and makes the following further amendment in the notification of the Government of India in the Ministry of Labour No. SRO. 2377/MDLB(2)/56, dated the 23rd October, 1956, namely:—

In the said notification, under the heading “Representatives of employers of Dock workers and shipping companies”, in item (4), for the entry “Shri A. R. Liddiard”, the entry “Shri S. S. T. Chari” shall be substituted.

[No. Fac. 76(23).]

*New Delhi, the 22nd May, 1958*

**S.O. 998.**—In exercise of the powers conferred by section 5 of the Indian Dock Labourers Act, 1934 (19 of 1934), the Central Government hereby makes the following further amendments in the Indian Dock Labourers Regulations,

1948, the same having been previously published as required by section 7 of the said Act, namely:—

#### *Amendment*

In the said Regulations—

1. For Regulation 12, the following shall be substituted, namely:—

“12 *Notice of accidents and dangerous occurrences.*—(1) Whenever any accident occurs which either—

- (a) causes loss of life to a worker, or
  - (b) disables a worker from work on which he was employed for the rest of the day or shift in which the accident occurred,
- notice of the accident shall forthwith be sent by telegram, telephone or special messenger within four hours of the occurrence, to—

- (i) the Inspector notified for the purpose;
- (ii) the relatives of the worker when the accident causes loss of life to the worker or is likely to disable the worker from work for more than ten days; and
- (iii) in the case of fatal accidents only,
  - (a) the officer-in-charge of the nearest Police Station; and
  - (b) the District Magistrate or if the District Magistrate by order so directs, the Sub-Divisional Magistrate:

Provided that a notice of any accident of which notice is sent in accordance with the requirements of the Explosives Act, 1884 (4 of 1884), or the Petroleum Act, 1934 (30 of 1934), need not be sent in accordance with the requirements of this regulation.

(2) In cases of accidents falling under clause (b) of sub-regulation (1), the injured person shall be given first-aid and thereafter immediately conveyed to a hospital or other place of treatment.

(3) Where any accident causing disablement is notified under this regulation and after notification thereof results in the death of the person disabled, notice in writing of the death shall be sent to the authorities mentioned in sub-regulation (1) immediately the death occurs.

(4) The following classes of dangerous occurrences shall forthwith be reported to the Inspector notified for the purpose in the manner prescribed in sub-regulation (1), whether death or disablement is caused or not:—

- (i) collapse or failure of lifting machinery;
- (ii) breakage or failure of ropes, chains or other appliances used in raising or lowering of persons or goods; and
- (iii) collapse or failure of means of access to or from a ship.

(5) Every notice given under sub-regulation (1) or every report made under sub-regulation (4) shall be confirmed within seventy-two hours of the occurrence by sending a written report to the Inspector in Form XII, provided that in case of accident under clause (b) of sub-regulation (1) such written report need be sent only when the worker is disabled from work on which he was employed for more than forty-eight hours following the accident”.

2. In Form XII—

(1) For item 5(4), the following item shall be substituted, namely:—

“5(4) Was the injured person disabled for more than forty-eight hours?”

(ii) for the Instructions on the reverse, the following shall be substituted, namely:—

#### **“INSTRUCTIONS**

*Notice of accidents and dangerous occurrences.*—(1) Whenever any accident occurs which either—

- (a) causes loss of life to a worker or
- (b) disables a worker from work on which he was employed for the rest of the day or shift in which the accident occurred,

notice of the accident shall forthwith be sent by telegram, telephone or special messenger within four hours of the occurrence, to—

- (i) the Inspector notified for the purpose;
- (ii) the relatives of the worker when the accident causes loss of life to the worker or is likely to disable the worker from work for more than ten days; and
- (iii) in the case of fatal accidents only,
  - (a) the officer-in-charge of the nearest Police Station; and
  - (b) the District Magistrate or if the District Magistrate by order so directs, the Sub-Divisional Magistrate;

Provided that a notice of any accident of which notice is sent in accordance with the requirements of the Explosives Act, 1884 (4 of 1884), or the Petroleum Act, 1934 (30 of 1934), need not be sent in accordance with the requirements of this regulation.

(2) In cases of accidents falling under clause (b) of sub-regulation (1) of regulation 12, the injured persons shall be given first-aid and thereafter immediately conveyed to a hospital or other place of treatment.

(3) Where any accident causing disablement is notified under this regulation and after notification thereof results in the death of the person disabled, notice in writing of the death shall be sent to the authorities mentioned in sub-regulation (1) of regulation 12, immediately the death occurs.

(4) The following classes of dangerous occurrences shall forthwith be reported to the Inspector notified for the purpose in the manner prescribed in sub-regulation (1) of regulation 12, whether death or disablement is caused or not:—

- (i) collapse or failure of lifting machinery;
- (ii) breakage or failure of ropes, chains or other appliances used in raising or lowering of persons or goods; and
- (iii) collapse or failure of means of access to or from a ship

(5) Every notice given under sub-regulation (1) or every report made under sub-regulation (4) of regulation 12, shall be confirmed within seventy-two hours of the occurrence by sending a written report to the Inspector in Form XII, provided that in case of accident under clause (b) of sub-regulation (1) of regulation 12, such written report need be sent only when the worker is disabled from work on which he was employed for more than forty-eight hours following the accident".

[No. Fac. 38(108)/57.]

*New Delhi, the 24th May 1958*

**S.O. 999.**—In exercise of the powers conferred by section 5 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), read with sub-rule (2) of rule 3 of the Dock Workers (Advisory Committee) Rules, 1949, the Central Government hereby appoints Shri P. Lakshmipathy Naidu, Chairman, Madras Stevedores Association, Madras, as a member of the Dock Workers Advisory Committee in place of Shri A. R. Liddiard, resigned, and makes the following further amendment in the notification of the Government of India in the Ministry of Labour and Employment No. S.R.O. 127, dated the 2nd January, 1957, namely:—

In the said notification, under the heading "*Members representing the employers of dock workers*", in item (5), for the entry "Shri A. R. Liddiard", the entry "Shri P. Lakshmipathy Naidu" shall be substituted.

[No. Fac. 80(92).]

*New Delhi, the 26th May 1958*

**S.O. 1000.**—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendment in the Rajasthan Coal Mines Bonus Scheme, published with the notification of the Government of India in the late Ministry of Labour No. S.R.O. 3643, dated the 17th December, 1954, namely:—

In paragraph 11 of the said Scheme, the following shall be inserted at the end, namely:—

"The Inspector shall stamp and attest such document as a token of his inspection."

[No. PF-I/3(64)/56.]

**S.O. 1001.**—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendment in the Andhra Pradesh Coal Mines Bonus Scheme, published with the notification of the Government of India in the late Ministry of Labour No. S.R.O. 1705, dated the 4th October, 1952, namely:—

In paragraph 11 of the said Scheme, the following shall be inserted at the end, namely:—

“The Inspector shall stamp and attest such document as a token of his inspection.”

[No. PF-I/3(64)/56.]

**S.O. 1002.**—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendment in the Assam Coal Mines Bonus Scheme, 1955 published with the notification of the Government of India in the late Ministry of Labour No. S.R.O. 2041 dated the 8th September, 1955, namely:—

In paragraph 11 of the said Scheme, the following shall be inserted at the end, namely:—

“The Inspector shall stamp and attest such document as a token of his inspection.”

[No. PF-I/3(64)/56.]

*New Delhi, the 27th May 1958*

**S.O. 1003.**—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendment in the Assam Coal Mines Bonus Scheme, namely:—

In paragraph 7 of the said Scheme, after sub-paragraph (1), the following sub-paragraph shall be inserted, namely:—

“(1A) The Regional Labour Commissioner (Central) concerned or the Officer specified by the Central Government in this behalf, as the case may be, shall give his decision on the application within the period of 21 days from the date of receipt of the application.”

[No. PF-I/3(89)/58.]

**S.O. 1004.**—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendment in the Rajasthan Coal Mines Bonus Scheme, namely:—

In paragraph 7 of the said Scheme, after sub-paragraph (1), the following sub-paragraph shall be inserted, namely:—

“(1A) The Regional Labour Commissioner (Central) concerned or the Officer specified by the Central Government in this behalf, as the case may be, shall give his decision on the application within a period of 21 days from the date of receipt of the application.”

[No. PF-I/3(89)/58.]

**S.O. 1005.**—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendment in the Coal Mines Bonus Scheme, namely:—

In paragraph 8 of the said scheme, after sub-paragraph (1), the following sub-paragraph shall be inserted, namely:—

“(1A) The Regional Labour Commissioner (Central) concerned or the Officer specified by the Central Government in this behalf, as the case may be, shall give his decision on the application within a period of 21 days from the date of receipt of the application.”

[No. PF-I/3(89)/58.]

**S.O. 1006.**—Whereas immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 1st August, 1956, to the factory known as the Belapur Company Limited, Post Office Harigaon, District Ahmednagar, there was in existence a provident fund common to the employees employed in the said factory to which the said Act applies and the employees in their Head Office at Brady House, 12/14, Veer Nariman Road, Fort, Bombay-1;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the aforesaid Head Office of the said factory situated at Bombay.

[No. PF.II 9(8)58.]

**S.O. 1007.**—In pursuance of sub-clauses (1), (3) and (5) of clause 4 of the Calcutta Dock Workers (Regulation of Employment) Scheme, 1956, the Central Government hereby appoints Shri H. M. Jagtiani, as a member of the Calcutta Dock Labour Board *vice* Shri I. N. Wankawala, resigned, and directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Labour No. S.R.O. 2316, dated the 8th October, 1956, namely:—

In the said notification under the heading, "*Members representing the employers of dock workers and shipping companies*" in item (4), for the entry "Shri I. N. Wankawala" the entry "Shri H. M. Jagtiani", shall be substituted.

[No. Fac. 175(21).]

P. D. GAIHA, Under Secy.

*New Delhi, the 24th May 1958*

**S.O. 1008.**—In exercise of the powers conferred by sub-section (1) of section 24 of the Mines Act, 1952 (35 of 1952), the Central Government hereby makes the following amendment in the Government of India, Ministry of Labour and Employment Notification No. S.O. 151, dated the 26th February, 1958, namely:—

In the said notification, entry (3) namely, "(3) Shri S. S. Grewal, Chief Inspector of Mines in India, Dhanbad" shall be omitted.

[No. MI-5(20)/58.]

*New Delhi, the 27th May 1958*

**S.O. 1009.**—The following draft of certain further amendments in the Coal Mines Labour Welfare Office Establishment (Contributory Provident Fund) Rules, 1951, which the Central Government proposes to make, with effect from the 1st September 1957, in exercise of the powers conferred by section 10 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947), is published, as required by sub-section (1) of the said section, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 20th July 1958.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

#### *Draft Amendment*

In the said rules,

- (1) in clause (b) of sub-rule (1) of rule 8, for the figures, words and brackets, "6½ percent (i.e. one anna in the rupee)" the figures, words and brackets "8-1/3 percent (i.e. 8-1/3 naye paise in the rupee)" shall be substituted;
- (2) in sub-rule (2) of rule 10, for the figures, words and brackets "6½ per cent (1/16th)" the figures, words and brackets, "8-1/3 per cent (1/12th)" shall be substituted.

[No. M-II-1(2)/58.]

S. RANGASWAMI, Under Secy.

*New Delhi, the 21st May 1958*

**S.O. 1110.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Nagpur at Bombay, in the industrial dispute between the Travancore Titanium Products, Trivandrum and the Titanium Products Staff Union, and the Titanium Workers' Union.

**BEFORE SHRI P. D. VYAS, JUDGE, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NAGPUR AT BOMBAY**

REFERENCE (CGIT) No. 6-A OF 1957.

Adjudication,

BETWEEN

The Travancore Titanium Products, Trivandrum.

AND

The Titanium Products Staff Union, and The Titanium Workers' Union.

In the matter of an interpretation under section 36A of the Industrial Disputes Act, 1947.

Appearances: Nil.

#### AWARD

This reference has been made to me by the Central Government under an Order dated 12th February 1958 in exercise of the powers conferred by section 36A of the Industrial Disputes Act, 1947. By an earlier Order S.R.O. No. 1911 dated the 5th June 1957 the Central Government had referred to me an industrial dispute between the same parties for adjudication and my award dated 10th September, 1957 in Reference (CGIT) No. 6 of 1957 in respect of the said dispute has been published in Part II Section 3 of the Gazette of India, under the Ministry of Labour and Employment Notification S.R.O. No. 3072 dated the 23rd September 1957. In the dispute referred to adjudication one of the questions was regarding bonus, if any, for the year 1955 and in paragraph 17 of the published award appears the following direction:—

"In the result I direct that the Company shall distribute bonus equivalent to five-twenty-fourth of the total earnings during the year ended 31st December 1955 to the concerned workers within two months of this award becoming enforceable. Those who have been dismissed for misconduct causing financial loss to the Company during the year, will not be entitled to any bonus".

The difficulty seems to have arisen as to the interpretation of the expression "total earnings" and hence the present reference.

2. On receipt of the Government Order of reference the usual notices were issued to the parties to file their respective statements and they were also informed that the word "basic" has been omitted in the said expression due to the typist's mistake and if they agree the necessary corrigendum may be issued so that the correct expression would be "the total basic earnings". This course was suggested by me with a view to save time and avoid any unnecessary expense or inconvenience to the parties concerned. The management has agreed that the proposed corrigendum may be issued but the Unions insist that the matter should be heard on merits and that the expression 'total earnings' should be construed as inclusive of dearness allowance.

3. The reference was heard by me at Trivandrum and from the beginning it was the case of the Unions that the bonus should be decided in terms of total wages including dearness allowance as it can be seen from paragraph 7 of my award:—

"...Since the Company started commercial production in October, 1951, 1954 was the first year of profit leaving aside...the period from 1st July 1952 to 31st December 1953 during which the factory remained closed. In the year, 1954, the Company earned the net profit of Rs. 4,03,170-13-2 and it being the first year of profit the Company just as a measure of goodwill granted bonus equivalent to one month's total wages inclusive of dearness allowance under a settlement between the parties. The similar offer was made for the year 1955 now under reference and the Company was prepared to raise the quantum to two months' wages but the Unions on behalf

of the workers concerned have been insisting on a bonus equivalent to four months' wages inclusive of dearness allowance for the same year. Obviously, in the preceding year, 1954, the payment of bonus has been voluntarily made by the Company under a settlement between the parties and the offer made in respect of the year 1955, was without prejudice to the Company's rights to have the dispute decided on merits in the event of a reference for an adjudication to an Industrial Tribunal. Even at the time of the hearing before me the Company revived the offer of bonus equivalent to two months' wages without prejudice but the Union representatives were not prepared to accept it and the dispute has, therefore, to be decided on merits."

4. I have then proceeded in my award to state the general principles regarding bonus and to inquire into the available surplus according to the formula laid down by the Labour Appellate Tribunal in the Bombay Millowners' case. Having found the available surplus to be Rs. 1,02,215/- as per table of calculations in paragraph 15, I have next dealt with the question of quantum in paragraphs 16 and 17. The following relevant portion in paragraph 17 may be reproduced for our present purpose:—

This statement includes the figures both for basic wages and dearness allowance and while accepting these figures what has been contended on behalf of the workers is that bonus should be calculated on total emoluments i.e. inclusive of dearness allowance. It has invariably been the general practice to divide the available surplus given as bonus in terms of basic wages and I need not depart from the same. [c.f. 1951 II L.L.J., p. 314 para 71 at p. 337 (Buckingham & Carnatic Mills) and 1953 II L.L.J., p. 218 para 15 at pages 251-252 (Burmah Shell Oil Storage & Distributing Co. of India, Ltd.)]. Thus if we fix the quantum of bonus as equivalent to 2½ months' basic wages, it comes to Rs. 40,874/1/- i.e. about 40 per cent. of the available surplus would go to the workers and the remaining 60 per cent. would be with the Company. On that the Company would be entitled to the rebate of income-tax, though of course in the present case no such rebate would actually be received. But notionally this factor has to be taken into account, when the bonus—formula itself is a notional one as observed above. The Company is thus in a position to pay bonus equivalent to 2½ months' basic wages and yet a fair surplus would remain in its hands."

Then follows the direction which has given rise to the present difficulty:—

"In the result, I direct that the Company shall distribute bonus equivalent to five-twenty-fourth of the total earnings during the year ended 31st December 1955 to the concerned workers within two months of this award becoming enforceable..."

5. It is obvious from what has been said above that it has never been the intention to include dearness allowance in fixing the quantum of bonus and on the face of it there has been a mistake on the part of the typist in omitting the word 'basic' so that the correct expression to be fair-typed was "the total basic earnings" as appearing in my draft. I have been very careful in making the necessary corrections wherever I saw mistakes in the original fair-typed copy but unfortunately the omission of the word 'basic' escaped my notice through oversight. But there can be no misapprehension on any side as it can be seen from the relevant portions of the award read as a whole that it was never the intention to include the dearness allowance; and it will be absurd to suggest that just while giving my direction, I used the expression "total earnings" with a view to include dearness allowance. In the very paragraph itself I have given a definite finding citing authorities in support thereof that "it has invariably been the general practice to divide the available surplus given as bonus in terms of basic wages and I need not depart from the same". Not only that but I have further stated in terms: "Thus if we fix the quantum of bonus as equivalent to 2½ months' basic wages, it comes to Rs. 40,874/1/- i.e. about 40 per cent. of the available surplus would go to the workers and the remaining 60 per cent. would be with the Company."

6. Had it been brought to my notice by the Government or the parties concerned, I would have immediately issued the necessary corrigendum under rule 28 of the Industrial Disputes (Central) Rules 1957, whereby "the Labour Court, Tribunal, National Tribunal or arbitrator may correct any clerical mistake or error arising from an accidental slip or omission in any award if/ he issues." In



the circumstances stated above, really speaking this is not a case for interpretation under section 36A of the Industrial Disputes Act, 1947, but what is required to be done is to correct the error under Rule 28 of the Industrial Disputes (Central) Rules, 1957. I, therefore, direct that the necessary corrigendum shall be issued separately which I have done today and the present reference shall stand disposed of accordingly.

12th May 1958

P. D. VYAS,  
Central Govt. Industrial Tribunal,  
Nagpur at Bombay.

BEFORE SHRI P. D. VYAS, JUDGE, CENTRAL GOVT. INDUSTRIAL  
TRIBUNAL NAGPUR AT BOMBAY

REFERENCE (CGIT) No. 6 of 1957.

Adjudication, Between

The Travancore Titanium Products Ltd., Trivandrum.

AND

The Titanium Products Staff Union and The Titanium Workers' Union.  
In the matter of bonus for the year 1955 etc.

#### CORRIGENDUM

This Reference was originally heard by me at Trivandrum and my award dated 10th September 1957 in respect of the same has been published in Part II Section 3 of the Gazette of India, under the Ministry of Labour and Employment Notification No. S.R.O. 3072 dated the 23rd September 1957. In a subsequent reference between the same parties made by the Central Government by an Order dated 12th February 1958 in exercise of the powers conferred by section 36A of the Industrial Disputes Act, 1947 and numbered (CGIT) 6-A of 1957, it came to my notice that a difficulty has arisen as to the interpretation of the term 'total earnings' in the penultimate sentence of paragraph 17 of the published award. In fact the correct expression meant to be used and as it appears in my draft was 'total basic earnings' and the word 'basic' has been omitted in the fair copy due to the typist's mistake. This point I have elaborately dealt with in my award which I have given today in the subsequent reference (CGIT) No. 6-A of 1957. In my opinion what is required to be done is to issue the corrigendum under rule 28 of the Industrial Disputes (Central) Rules 1957 and I direct accordingly. The correct penultimate sentence in paragraph 17 will thus read:—

"I direct that the Company shall distribute bonus equivalent to five-twenty-fourth of the total basic earnings during the year ended 31st December 1955 to the concerned workmen within two months of this award becoming enforceable."

12th May 1958

P. D. VYAS,  
Central Govt. Industrial Tribunal,  
Nagpur at Bombay.

[No. LR11-57-1(48)/57]

#### ORDERS

New Delhi, the 21st May 1958

S.O. 1011.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to Satak Mine of M/s N. D. Zal & Co., Mining Proprietors, Kamptee, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal at Nagpur, constituted under section 7A of the said Act.

## THE SCHEDULE

What should be the quantum of Bonus and the daily average wage in case of the workmen employed in Satak Manganese Mine of M/s N. D. Zal & Co., Mining Proprietors, Mall Road, Kamptee, and what should be the retrospective effect in case of bonus and Daily Average Wage?

[No. LR11/11(38)/58.]

New Delhi, the 22nd May 1958

**S.O. 1012.**—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the Malkera Choitudih Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad constituted under section 7A of the said Act.

## THE SCHEDULE

Whether the services of Sarvashri S. A. Hamid (Clerk), Mohbubali (Incharge), Md. Osman (Munshi), Md. Shah (Munshi), Reajul Hussain (Munshi), Reasat Hussain (Chaprasi), Puran Shaw (Chaprasi) and Kishon Dosad (Chaprasi, who has since died) were properly terminated with effect from the 1st July 1955 and if not, what relief they are entitled to and from whom, i.e. whether from the Company or the Contractor, Shri Habib Mia.

[No. LR11/2(85)/55.]

A. L. HANDA, Under Secy.

## (Office of the Central Provident Fund Commissioner)

New Delhi, the 26th May 1958

**S.O. 1013.**—Whereas in the notification of the Government of India, Ministry of Labour and Employment, No. S.R.O. 3416 dated the 26th October, 1957 M/S The Central Scientific Supplies Company Ltd., 2, Agram Road, Tamburam among others, was exempted from the operation of the Employees' Provident Funds Scheme, 1952;

And whereas M/S The Central Scientific Supplies Company Ltd., aforesaid has requested cancellation of the exemption thus granted;

Now, therefore, in exercise of the powers conferred by section 17 of the Employees' Provident Funds Act, 1952 (19 of 1952) read with the notification of the Government of India, Ministry of Labour No. S.R.O. 1860 dated the 31st May, 1954, I, S. N. Mubayi, Central Provident Fund Commissioner, hereby cancel the exemption granted to Messrs The Central Scientific Supplies Co. Ltd., 2, Agram Road, Tamburam aforesaid and direct that the following amendment be made in the notification of the Government of India in the Ministry of Labour and Employment No. S.R.O. 3416 dated the 26th October, 1957, namely—

In Schedule I to the said notification, serial No. 44 relating to The Central Scientific Supplies Company Ltd., 2, Agram Road, Tamburam and the entries against that serial number shall be omitted.

2. M/S The Central Scientific Supplies Company Ltd., are further directed to transfer the entire provident fund accumulations standing to the credit of the members of their provident fund scheme to the Fund established under the Employees' Provident Fund Scheme, 1952 as soon as possible, and in any case, not later than 30 days in the case of securities and not later than ten days in the case of cash in hand or in bank, together with a statement or statements as may be required by the Regional Commissioner, Employees' Provident Fund, Madras.

[No. E-102(19)E/A-V/11040.]

S. N. MUBAYI, Central Provident Fund Commissioner.